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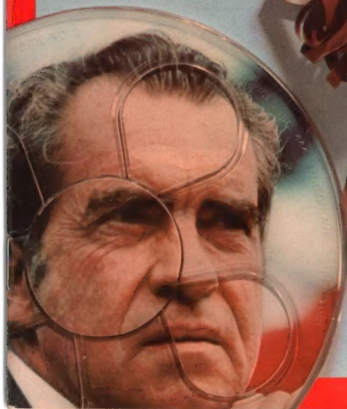
JULY 30, 1973

TIM

THE NIXON TAPES



PLAYBACK WANTED



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A LETTER FROM THE PUBLISHER

Two major stories in this week's issue deal with radically different kinds of American dream machines. One concerns the immensely successful girly magazines, now under pressure because of the Supreme Court's new ruling on pornography; the other reports on an empire no pornography ruling could ever touch, that of Walt Disney Productions.

Disney produced the first picture that Movie Critic Richard Schickel ever saw, *Snow White and the Seven Dwarfs*. Schickel was then seven years old. Years later, he became the regular critic for LIFE and also the author of the only major study to date of Disney's life and work, *The Disney Version* (1968). "His organization," Schickel says, "touches everybody during the most impressive years. It's not what they do that's harmful, but what they don't do."

Schickel expands this thesis in the Show Business section.

Like Schickel, TIME's Hollywood Correspondent Roland Flaminio entered a movie theater for the first time in his life as a six-year-old in England to see *Snow White*. One of his biggest surprises in reporting the Disney story was the style of the Disney executives he met: "They were efficient, businesslike and more clean-cut and soberly dressed than most of their counterparts at other studios."

To prepare for her article on "Disney After Walt," Show Business Writer Judy Fayard sat through three full-length Disney cartoons,

all of which she had seen before. The spell lingered, too, for she wore a Mouseketeer hat as she wrote the story.

If sober efficiency typifies the proprietors of Mickey Mouse, it also marks the inventor of the Bunny, Chicago Correspondent Richard Woodbury reports. "I was surprised to find Hefner such a serious, business-minded person," he says. "We met in a second-floor conference room of the famous Playboy Mansion and talked for nearly two hours, and there were no girls or hedonists around."

Contributing Editor Paul Gray wrote the Press story on Hefner and his competitors. Before he joined TIME, he was a professor of English literature at Princeton, where, he says, "I used to feel like reading magazines more than students' papers." He got his wish with this story—stacks of sex magazines as assigned reading. "I've done less interesting research," admits Gray, who wrote his doctoral dissertation on James Joyce, "but at this point I still think that one of Joyce's words is worth a thousand of Hefner's pictures."

Ralph P. Davidson

INDEX

Cover Story.....7	Education.....61	Nation.....6
Color.....47	Environment.....42	People.....40
	Low.....44	Press.....46
Books.....69	Letters.....4	Science.....43
Business.....55	Medicine.....71	Show Business.....64
Cinema.....72	Milestones.....52	Sport.....45
Economy.....28		World.....30

The Cover: Photographs by Dirck Halstead (Nixon) and Walter Bennett (Ervin); designed by Dennis Wheeler.

TIME is published weekly, \$14.00 per year, by Time Inc., 541 N. Fairbanks Court, Chicago, Ill. 60611. Principal office: Rockefeller Center, New York, N.Y. 10020. James R. Shepley, President; Richard L. McKeough, Treasurer; Charles B. Kear, Secretary. Second class postage paid at Chicago, Ill., and at additional mailing offices. Vol. 102 No. 5 © 1973 Time Inc. All rights reserved. Reproduction in whole or in part without written permission is prohibited.

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Mrs. Edward Allen
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Vicki Martell
Allstate Claim Adjuster
Ft. Lauderdale, Florida

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"We don't like to do things half way."

"Well, I knew how I'd feel if I were out of town around the Holidays."

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LETTERS

Survival

Sir / Your cover headline "Can Nixon Survive Dean?" [July 9] was a mistake.

It should have read: "Will the U.S. Survive the Witch Hunt?"

JEAN CARTER
Columbia, Md.

Sir / "Can Nixon Survive Nixon?"

JOHN W. OLIVER JR.
Canton, Ohio

Sir / "Can the Presidency Survive Nixon?"

ROBERT KOHL
Florissant, Mo.

Sir / "Can Anyone Survive Nixon?"

JENNY CHALMAN
Lansing, Mich.

Sir / Why doesn't someone defend Nixon for trying, if he did, to "cover up" Watergate? What duty does he have to advertise a scandal to the wide, wide world?

It is impossible for me to believe that an American President could be a criminal; therefore I only regret that he could not "cover up" better, investigate quietly, and punish properly.

RAY H. HYNDY
Corpus Christi, Texas

Sir / Mr. Dean is the only person I have heard who can surpass my teen-agers with excuses about why it wasn't their fault and why they shouldn't be blamed and how they really didn't mean to be there, and after all I had said "Good evening" to them when they came home, so I must have known what was going on and agreed to it.

M.S. WHITEHEAD
Beltsville, Md.

Sir / My President is not a criminal, but your Dean has admitted wrongdoing. My President is not unethical. Would you and your colleagues destroy our country in order to ruin one man?

E.A.C. BENNETT
Savannah, Ga.

Sir / Right or wrong, accurate or inaccurate, Dean's testimony is one of the best things to happen to our nation in a long, long time. If nothing else, a more enlightened American public realizes that it must do something about political campaigns and their expenditures. And perhaps just as important, that a candidate should be able to prove his right to an office on his own merits, rather than on the amount of dirt and slander he can hurl at his opponent.

(THE REV.) LEWIS F. BOHLER JR.
Los Angeles

Sir / The real tragedy of the Watergate business is that our President and so many of his followers cannot tolerate the spirit of democracy. They have substituted personal loyalty to Nixon for loyalty to the ideals of democracy.

Why do so many of us tolerate and even support an Administration that has violated the best spirit of our country?

KAREN WEST
Philadelphia

Sir / You illustrate the lack of resourcefulness of the White House staff where you say Haldeman advised, "Once the toothpaste is out of the tube, it's going to be very hard to get it back in."

Faced with this problem I've always unrolled the tube, cut the metal strip off at the bottom, squeezed the tube open, and re-

placed the toothpaste, and then rolled the tube back to its previous position. It's simple.

WALTER B. WRIGHT
Shaker Heights, Ohio

Sir / We don't need a summit meeting between Nixon and Brezhnev or Nixon and Mao Tse-tung nearly as badly as we need a summit meeting between Nixon and the citizens of the U.S.

LEONA D. PURVIS
Caledonia, Mich.

Sir / At last a touch of humanity in the whole Watergate mess of spying and treachery. Julie Eisenhower's defense of her father and her willingness to face a critical and often hostile public are the nearest thing to gallantry I've heard of in a long time.

(MRS.) GOOLBAI GUNASEKARA
Colombo, Sri Lanka

The Good Team

Sir / My spirits were given something of a lift when I read that virginity is now regarded by "many contemporary young people" as being "on the same team with crew cuts and Sensible Orthopedic Shoes and Billy Graham and the Republican Party" [July 9]. This doesn't sound like such a bad team to me.

PATRICK M. DEMPSEY
Northridge, Calif.

Sir / I have never in all of my 19 years heard of anything more ludicrous than an "embarrassed virgin." To my mind, your article refers to only a minority. Still, it's a sorry state of affairs when some women are so ignorant as to be "embarrassed" by high morals.

CARLA REZNAK
South Orange, N.J.

Sir / Bravo! At last someone has stated clearly this emerging social phenomenon. It makes me wonder if there are not also "embarrassed husbands" who have not cheated on their wives yet or "embarrassed couples" who want to marry rather than live together in eternal uncommittedness.

ROBIN SLATER
Arcadia, Calif.

Paying for Parochial Schools

Sir / The Supreme Court, functioning as a superlegislature, has, by banning federal aid to parochial schools [July 9], granted a legal basis to prejudices existing against Catholics for centuries. There now exists outright bigotry.

Other parents do not wish to pay for parochial schools their children do not attend. Is it justice that we pay for public schools our children do not attend?

Does the First Amendment preserve religious educational freedom or seek to destroy it?

JOHN M. GRONDELSKI
Perth Amboy, N.J.

Sir / There is no such thing as a neutral education. Every form of education instills in students ideals and values as well as pure knowledge. A secular education that ignores religion is a denial of religion; at best, it is a denial of the importance of the role of religion in one's life.

Consequently, a government that supports only one form of education and denies educational opportunities to those who

would choose another form, is dangerously close to forcing a totalitarian conformity upon all its citizens.

SARA KAPLAN
New York City

Ethics and the Law

Sir / Your Essay, "An Awful Lot of Lawyers Involved" [July 9], raises more questions than it answers. If "the law is supposed to be the repository of society's ethics and morals," what of the lawyers whose reputations are based on their ability to show their clients how to evade the law? What of the lawyers who aid and abet their clients in flouting the ethics and morals of society? If the Watergate scandal is to result in an ethical purge of our country, we must apply the lessons at the grass-roots level.

LETTY R. BRAUN
Wyomissing, Pa.

Sir / José M. Ferrer III has an idealized view of lawyers.

Anyone who wants to get around the law knows that the first person to consult is a lawyer. And where do lawyers go when they are promoted? They become judges.

(MRS.) MARY L. STEWART
Norwalk, Ohio

Sir / More newsworthy than the Essay on the shortcomings of lawyers would be instructing your readers that the earth is round. An honest attorney is as rare as a virtuous prostitute.

M. H. GORDON
Norfolk

The Serious Mr. Schickel

Sir / Did I read right? Is Richard Schickel really reading social commentary into a James Bond film [July 9]? James Bond the

MOVING?

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Great White Hope? *Live and Let Die* is just fantasy!

Mr. Schickel is taking somebody far too seriously.

K. M. DRENNAN
Portland, Ore.

Sir / Agent 007 a racist pig? Oh, come on!

WENDY HOGAN
New York City

Parents' Rights

Sir / Should the so-called social implications noted in your story "Adults at 18" [July 9] have the effects described, a great burden would be taken off parents, that of saving and doing without so that money can be saved for their children's education. If a parent is paying the bills or any portion thereof, he certainly has the right to be mailed grades and disciplinary reports.

And the parent certainly has the right to say whether his child is going to live in a dormitory or not.

FAITH L. SHERFEY
Saginaw, Mich.

The Pornographers' Nightmare

Sir / Bravo, bravo, bravo for Chief Justice Burger [July 2]! It was a pleasant surprise to read that someone at last has the foresight and courage to take a stiffer stand against pornography.

Anyone who claims that pornography is not harmful has closed his mind to the existence of illegitimate births, rape, adultery, broken marriages and venereal disease.

I hope that the nightmare facing publishers of pornography and makers of obscene films will not only set them back to the Dark Ages but into oblivion, where they can stay until they resolve to use their "creativity" to produce something that will build rather than demoralize and destroy America.

LADEAN H. RUPP
Tremonton, Utah

Sir / I trust the prudes and self-righteous censors are pleased with the Supreme Court's recent obscenity decision. Now the police can double and redouble their efforts to keep pornography away from people who would never have read or seen it anyway. Of course, this means the police will have even less time to worry about such nonserious offenses as murder, robbery and rape.

I hope those who support the court's recent decisions are the victims, not me.

PAUL L. WARNER
San Francisco

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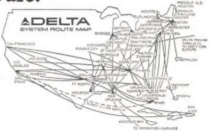


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AMERICAN NOTES

The President's Front Yard

The Watergate hearings have added a little to the rich historical lore of Lafayette Square, the graceful public park across the street from the White House. John Dean and Herbert Kalmbach, the President's personal counsel and lawyer respectively, strolled there in July 1972 to discuss hush money for the Watergate defendants.

Being the front yard of American power, the park has seen a lot of casual history. Thomas Jefferson walked over to the Madison house on one occasion to pay a call on his successor. Lincoln's Secretary of State, William Seward, was gravely wounded in his house on the square the night that Lincoln was shot. F.D.R. and others worshiped in the President's pew in St. John's Episcopal Church on the park's northeast corner.

Bernard Baruch, the adviser to Presidents, gave counsel from his seat on a park bench. Harry Truman liked to walk there. In recent years the park has been a rallying ground for demonstrators, and sometimes tear gas wafted through the tall elms.

These days, a tourist might recognize Melvin Laird talking on a bench with Kentucky's former Senator John Sherman Cooper, or former White House Chief of Staff H.R. Haldeman striding briskly between points of exile. Here and there, among the office workers brown-bagging lunch on the grass, may be seen other men talking quietly in the sunshine beyond the White House gates—because only there could they be sure they were speaking only to each other. Or so they may think. In 1947 a reporter from the *Washington Post* discovered a microphone concealed in the bushes behind one park bench, with the wires leading to a tiny park-maintenance station 30 yards away. No one ever figured out what that primitive bug was intended to hear, and everyone, from the FBI down, denied having installed it.

CREEP Marches On

After the election last year, George McGovern's Washington campaign headquarters looked like one of the apocalyptically deserted buildings in *On the Beach*. That was not unusual. Most campaign organizations shut down as soon as the votes are counted and the thank-you notes dispatched.

But almost nine months after the presidential election, the Committee for

the Re-Election of the President is still humming along, rather eerily, in a second-floor sanctum at 1701 Pennsylvania Avenue, less than a block from the White House. Former Commerce Secretary Maurice Stans still reports for work as finance committee chairman, although he cut his own \$60,000 salary in half after he was indicted last spring for perjury and conspiracy. Chief Public Relations Man DeVan Shumway still collects \$36,000 a year. He sits in his private office watching the Ervin hearings on a portable TV and grinding out denials and explanations. Ten other employees, including a lawyer, research assistant and treasurer, are still at work, devoting their days mostly to cleaning up the leftover details of the campaign. Among them: the \$6.4 million damage suit filed by the Democratic National Committee after the Watergate break-in, and the Common Cause suit demanding disclosure of all contributions made to the Nixon campaign before April 7, 1972, when the new full-disclosure campaign law took effect.

The committee wound up with a well-publicized campaign surplus of \$4.8 million but has certain expenses to worry about. Since the election, for example, it has dished out \$300,500 in legal fees, much of the cash going to help committee officials like Stans, Jeb Magruder and Hugh Sloan in trying to extricate themselves from Watergate.

The '60s End

In the manic heyday of protest, California students were among the most demonstrative. They burned down the Bank of America at Isla Vista and brought out the National Guard five times. Berkeley, cradle of Mario Savio and the Free Speech Movement, was especially volatile. In 1968 the Berkeley authorities installed Willis A. Shotwell as a full-time disciplinarian to deal with demonstrators.

Last week Shotwell returned to his previous assignment of giving pre-professional counseling to students. It was an interesting shift, though scarcely a revelation. The California administrators had finally held a mirror to the nostrils of expiring rebelliousness and detected no life there. No organized public life, at any rate. Said Shotwell: "The draft is gone, the war is more or less over, and the threat of interruption of life has ended." The passionate, impromptu politics of the '60s has long since closed down, and may have to await renewal until Jane Fonda's and Tom Hayden's new baby comes of age.

DAVID HARRITT—GAMMA



OUT OF HOSPITAL, NIXON ADDRESSES STAFF

THE WHITE HOUSE/COVER STORY

The Battle for Nixon's Tapes

If President Nixon does not release tapes of Watergate conversations recorded in his offices, Senate Select Committee Chairman Sam J. Ervin Jr. told TIME last week, "I would inform the President that the committee was going to hold him guilty."

As the Watergate scandal grows more incredible almost weekly, it now seems probable that an ironic twist of fate could prove decisive in determining how the President's involvement is finally perceived. The controversy that arose from the secret bugging of Democratic Party headquarters might possibly be resolved through the secret bugging of the White House, ordered by the President himself.

As he has so often done in his convoluted conduct throughout the Watergate revelations, the President might change his mind. But, recovered from pneumonia and working over the weekend in the solitude of Camp David, Nixon was, according to close aides, drafting a letter rejecting Ervin's request that he turn over tapes of conversations in which he discussed Watergate with his key associates and any other relevant presidential papers or documents.

If so, Nixon might well be acting from the loftiest of motives—to protect the principle of Executive privilege for both his own presidency and future ones. But he probably cannot succeed, either in the courts of law or, more significantly, in the court of public opinion. Ervin is undoubtedly correct in arguing that a refusal by Nixon to produce the relevant recordings will be taken to mean that they probably do not support his protestations of innocence in all of the wrongdoing related to Watergate.

The revelation last week that Nixon had ordered the automatic and covert recording of all of his office talks and most of his telephone conversations since the spring of 1971 cast a startling new light on the astonishing affair. A case against the President that had seemed destined to rest ambiguously on the often credible but thus far wholly uncorroborated testimony of Nixon's fired counsel, John W. Dean III, now might have a clear-cut resolution.

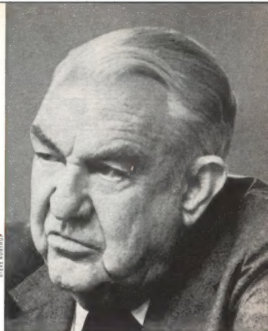
To be sure, the taped conversations,

if they do become public, could turn out to be just as ambiguous as all of the conflicting testimony. It seems unlikely that a President who knew his words were being recorded would engage in any self-incriminating conversations—unless he felt certain that his words would not be revealed until years later, if at all. Even with the tapes, the answer to Senator Howard Baker's celebrated question, "What did the President know and when did he know it?" could center on semantic shadings, conversational contexts and inconclusive interpretations of what the participants in the presidential dialogues really meant.

Ultimate Evidence. Another possibility: the tapes might clearly exonerate Nixon. John Ehrlichman, who is scheduled to testify this week before the Ervin committee's television cameras, thinks so and predicted last week that the tapes "will be the ultimate evidence." Ehrlichman, the President's former Chief Domestic Affairs Adviser, confirmed that he had been completely unaware that his conversations with his boss had been recorded. He said that the tapes ought to be produced by the President. Although Ehrlichman thought he himself "may have said some things about some people to the President that were very frank and candid," he was "delighted" that the recordings exist.

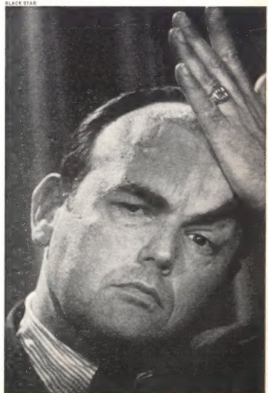
Yet the knowledge that their past conversations with the President could eventually become public will undoubtedly make Ehrlichman and H.R. Haldeman, who is expected to take his turn under the TV lights next week, especially careful of what they tell the Senators. The last major figures on the committee's witness list, the two men have been implicated by others in the conspiracy to conceal the full implications of the Watergate crimes. As Nixon's Chief of Staff, Haldeman, who was aware of the taping all along, tightly controlled access to the President. He will undoubtedly be grilled about key Nixon conversations with anyone linked with Watergate so that the Senators can seek specific tapes.

Looking physically fit, Nixon emerged last week from the National Naval Medical Center at Bethesda and his brief bout with viral pneumonia. This week George Gallup reported that



CHAIRMAN ERVIN AT WATERGATE HEARINGS
Praying for a rational White House.

only 39.6% of the public approve of the way Nixon is handling the presidency; this is the lowest popularity rating of Nixon's tenure in the White House and one of the lowest for any postwar President (see chart page 12). But Nixon seemed to be in a confident and spirited mood. He told a gathering of White House employees in the Rose Garden: "Let others wallow in Watergate. We're going to do our job." He dismissed all talk of his possible resignation as "just plain poppycock—we're going to stay on this job." While doctors were urging him to slow down, he



WATERGATE WITNESS JOHN EHRLICHMAN



NIXON WITH GIRL SCOUTS ALONG HIGHWAY NEAR CAMP DAVID
A time to go full tilt, not to quit or slow down.

said that he was going to work "at full tilt all the way. No one in this great office at this time in the world's history can slow down."

The brave words masked what must be an acute dilemma posed by the tapes for Nixon, whether innocent or guilty of Watergate crimes. His press spokesmen have put the tapes in the same category as "the presidential papers," which Nixon on July 7 described to Ervin as documents he must withhold from the Senate committee. His refusal to release them, he wrote, was "based on my constitutional obligation to pre-

serve intact the powers and prerogatives of the presidency and not upon any desire to withhold information relevant to your inquiry." Yet the White House has already given the committee the times and topics of some of the conversations, as well as its version of the general content. To refuse a more complete examination of those talks seems, at the least, legally inconsistent. Moreover, in his May 22 written statement, Nixon declared: "Executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussion of possible criminal conduct."

Both the Watergate wiretapping and various acts to conceal it—including payoffs to keep the seven Watergate defendants quiet, promises of Executive clemency for the same purpose, and attempts to hide the involvement of anyone other than the original burglary squad—are, of course, crimes. No matter what the White House tapes may or may not disclose about Nixon, at the least, they would have to contain evidence of some of his advisers' illegally covering up Watergate. Dean, of course, contends that all those cover-up acts were discussed with the President.

Beyond those grounds for disclosure, Chairman Ervin argues that neither political activities, such as the President's re-election campaign, nor the maintaining of records for historical purposes—the ostensible aim of Nixon's taping program—is among the President's constitutional duties. Therefore they cannot be protected by Executive privilege. Nixon's legal position is weak (see following story).

The Cox Demand. Any attempt by Nixon to withhold the recordings from the staff of Special Watergate Prosecutor Archibald Cox would be even less defensible. Cox is charged with investigating crimes, and his office was created by the Executive Branch; thus there is no separation-of-powers reason for denying the tapes to his staff. Cox has already formally requested tapes relevant to his investigations, but at week's end had not yet received a re-

To the Circus with the Organ Grinder

The moment was quintessential Sam Ervin. At the end of a morning's testimony by Nixon Campaign Aide Fred LaRue, Ervin leaned forward in his chair, his 76-year-old face a complexity of darting eyebrows, eyes intent but somehow distracted, and launched into a summary of what the Watergate hearings had taught him thus far. Haltingly, composing the phrases carefully in his mind, Ervin began in his broad Carolinian drawl: "Men upon whom fortune had smiled with beneficence and who possessed great financial power, great political power and great governmental power, undertook to nullify the laws of man and the laws of God for the purpose of gaining what history will call a very temporary political advantage. Those who participated overlooked one of the laws of God which is set forth in the seventh verse of the sixth chapter of the *Galatians*: 'Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap.'" A pause, and then the caucous room erupted into sustained applause.

With the customary swiftness of the McLuhan age, Sam Ervin has now entered American folklore. A Sam Ervin fan club has sprung up in California

and now has a national membership of 6,000. "Uncle Sam" T shirts, buttons and posters are on the market. The mailman hauls thousands of letters a day into Ervin's suite in the old Senate Office Building. One woman from Dallas even proposed marriage—and told the Senator that if he was not available, he could pass the note on to Tennessee's Howard Baker, the committee's other star.

As Ervin walks through the Capitol these days, tourists poke each other delightedly: "Look, it's him." Last week the Senator had his four grandchildren in town to attend the hearings. One evening he took them out to dinner at a restaurant on Capitol Hill and everywhere along the way he was stopped by people who wanted to shake his hand. A fundamentally shy man, Ervin is both pleased and embarrassed by all the attention. Said twelve-year-old Bobby Ervin, establishing that a talent for home-grown simile runs in the family: "It's like going to the circus with the organ grinder."

He has not endeared himself to everyone, of course. Critical letters have come in. Some Republican Senators are snarling about him from the back-ground. Critics complain that Ervin is



ERVIN'S GRANDSON BOBBY

more out to get Nixon than the truth. But his image of constitutional integrity, his country humor and deftly self-mocking senatorial grandiloquence have turned him into a major American personality.

The daily grind of hearings under bright television lights is hard even for younger members of the committee. Hawaii's Daniel Inouye, 48, feels fatigued at the end of the day and suffers from severe headaches. Ervin seems to be surviving well. He husbands his strength. Ervin and his wife of 49 years, Margaret, still live as quietly as ever in their two-bedroom apart-

ply. If his request is refused, Cox is expected to protest publicly, creating more pressure on the President.

If Cox does obtain the tapes, the Ervin committee could be stymied in its desire to see them speedily, since Cox apparently, if he would use them publicly at all, would do so only in the trials of indicted former Nixon aides. Such trials could be months away. If the President will not voluntarily give the tapes to Ervin, the committee will undoubtedly try to subpoena them. If that is resisted by the White House, it could take months for the committee to fight the issue through all the courts.

In the end, the practical question of whether Nixon can withstand the political pressure to release the tapes seems far more crucial than the legal issue. Says Ervin: "I think the American people are not so much concerned with the constitutional arguments as they are in the willingness of the President to assist the committee in its search for truth."

By all accounts, the sudden and dramatic injection of the controversy over the Nixon tapes came about almost accidentally. As the Watergate committee's chief counsel, Sam Dash, explained it, his staff was working methodically on a "proximity investigation"—checking out everyone close to the key figures in the affair. Thus a routine private staff questioning of Alexander P. Butterfield, a former aide to Haldeman and now administrator of the Federal

Aviation Administration, was scheduled for Friday, July 13—and the staff, as one member put it, "just lucked out."

The meeting was considered of such little importance that a junior staff Republican counsel, Donald Sanders, was interviewing Butterfield about White House record-keeping procedures. No Senator or top counsel was present. Nothing of interest had been learned when, at the very end, Sanders tossed out a throwaway question. Noting that Dean had testified that on one occasion he thought the President was taping a conversation with him, Sanders asked whether "conversations in the President's office are recorded."

No Leaks. "Oh God," replied Butterfield. "I was hoping you wouldn't ask that." He put his hand to his head and seemed shaken. He said that he was worried about violating national security and Executive privilege, but could not evade the question. Then he revealed that Nixon had ordered the Secret Service to install recording devices that would pick up any conversations in his Oval Office and his working quarters in the Executive Office Building. Discussions in the Cabinet Room could also be recorded, although not automatically. The technology was relatively simple (see box page 10).

The three staff members present instantly realized the significance of Butterfield's revelation. They told Dash and the chief Republican counsel, Fred Thompson. Next morning when Chair-



BUTTERFIELD IN NIXON OFFICE (1971)
"I was hoping you wouldn't ask."

man Ervin was informed, he called the news "quite astounding." Determined that this story must not leak to newsmen, as so many staff interviews had, Ervin ordered that not even the other Senators on the committee be immediately informed. Vice Chairman Baker learned of it Sunday morning only when Butterfield, seeking advice, asked to meet with him. Baker told Butterfield that he would have to testify publicly, but should inform White House Counsel Leonard Garment and J. Fred Buzhardt that he intended to do so.

Butterfield, 47, an efficient and

ment a few hundred yards from the Capitol. The Ervins have been forced to get an unlisted phone number. The Senator still goes to sleep at his customary 11 p.m. He gets up at 8, has a hearty breakfast and then, as always, walks to his office, which is ten min-

utes away. Since the hearings began, he has been accompanied around the Hill by two plain-clothes Capitol policemen. At first, the guards embarrassed him, but now he likes their help in getting through the crowds of summer tourists.

Ervin makes no elaborate preparations for the hearings. He deliberately does not read the staff briefs on the witnesses' closed-door testimony. "I find it's better to hear the witness himself," says Ervin. Before the hearings, Chief Counsel Sam Dash does consult with the Senator on the witnesses and briefs him generally on their testimony. Unlike many committee chairmen, Ervin does not like to question witnesses at an early point in their public testimony. Instead, he waits for his colleagues to run through their questions. "When you're last," says Ervin, "you can segregate the wheat from the chaff."

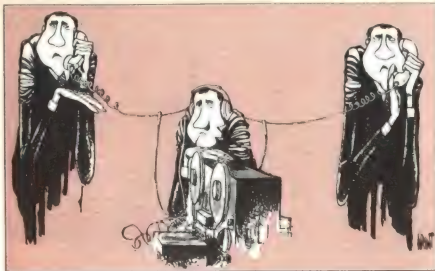
Ervin is pleased with the way the committee runs as a unit, although many trial lawyers are less enthusiastic about its performance (see

THE LAW). The seven members prepare their lines of questioning more or less independently. Says Ervin: "It has worked out beyond my fondest expectations. There's been a minimum display of partisan feeling by the committee members." One reason for the nonpartisanship is that Ervin has worked closely with Howard Baker, the ranking Republican and vice chairman. From the beginning, every vote of the committee has been unanimous, except when Connecticut's Lowell Weicker voted against postponing the hearings during the week Leonid Brezhnev was visiting Richard Nixon.

As the Senate's self-appointed constitutional watchdog, Ervin, for all of his courtliness and mirth, approaches his investigation with a relentless seriousness. He told TIME's Neil MacNeil last week: "As an American who loves his country and venerates the institution of the presidency, I indulge the presumption that the President has no connection with the Watergate affair or its cover-up. Candor compels me to say that the President is making it very difficult to entertain this presumption if he withholds from the committee the records and the tapes which I believe contain information which is relevant to establish the truth of the Watergate affair."



SAM & MARGARET ERVIN



bright administrator who had been a U.C.L.A. acquaintance of Haldeman's, advised the White House counsels of his intentions on Sunday. He was not told to invoke Executive privilege, probably because the Ervin staff already had his testimony. Ervin moved swiftly to get Butterfield's information out. On Monday morning the full committee was told about Butterfield's story. A staff attorney was ordered to call Butterfield and tell him that he would be put on television that afternoon. Butterfield, reached in a barbershop, objected, still concerned about national security and worried about missing the opening of a symposium in the Soviet Union on American aerospace products. When Ervin learned of this, he told his staff attorney: "You tell him that I order him to come and testify, and if we have to, we'll subpoena him and bring him in."

Thus a nervous but precise and

wholly cooperative Butterfield became the Ervin committee's first mystery witness. He arrived without an attorney, not having had time even to obtain counsel to accompany him. Speaking in understated, undramatic terms, he told a sensational story of how Nixon had made it a practice to bug all presidential conversations. At no time, so far as he knew, Butterfield said, did Nixon seek to cut off the system or were his visitors or callers informed that their words were being taped.

Plant Theory. In a justifiably cynical Washington, speculation grew that somehow Butterfield was a White House plant, that Nixon wanted the information out because the tapes would clear him. Some White House staffers who claim to have heard the tapes—despite the contention of Presidential Press Secretary Ronald Ziegler that none of the White House counsels have reviewed the tapes—say that the record-

ings do just that. But Senator Baker caustically noted that if he were President and that were true, "I'd have been rolling it [the information] up to Capitol Hill in wheelbarrows."

Butterfield's explanation for revealing the presidential bugging appeared to be a self-protective afterthought. He said that he knew both Haldeman and an assistant, Lawrence Highy, had been quizzed by the committee staff, and he assumed that they must have been asked the same question and answered it honestly. He said he also assumed that the President planned eventually to use the tapes in his own defense.

TIME has learned that Haldeman was not directly asked about the existence of a recording system and did not volunteer the information. Highy, however, was asked whether telephone conversations at the White House were recorded and said he knew of only two taped calls. Declared the committee's deputy counsel, Rufus Edmisten, later: "Butterfield is one of the few people in this entire mess who have impressed me as being a completely honest, sincere and upright guy. It's just preposterous to think that it is some kind of White House plot."

White House reaction to Butterfield's disclosures indicated that officials there were not prepared for it.

Buzhardt on Monday morning sent a brief letter to the committee confirming that the recording reels had been spinning secretly since the spring of 1971. (Butterfield had thought the operation began a year earlier.) The system was still in use and "was similar to that employed by the last Administration." That evening Buzhardt, Garment, Haig and Ziegler met for two hours at the Bethesda hospital. Apparently after talking to Nixon there, they agreed that the tapes would not be released to

How Nixon Bugged Himself

One might expect a President of the U.S. to use the most advanced *Mission: Impossible* gadgetry to record his conversations for posterity. But Nixon had no need to. The Secret Service men who, on his instructions, tapped his telephones and bugged his offices, shunned such gimmicks as radios in martini olives and aimed instead for the clearest possible transmission (or "fidelity") of conversation right down to the last lip. They tapped the Chief Executive's phones by connecting them directly to the banks of tape recorders in the White House basement. Recording began automatically when the President used a phone in any of three rooms: the Oval Office, the President's office in the Executive Office Building and the Lincoln Sitting Room on the second floor of the White House. Nixon's study at Camp David had a similar apparatus.

The Oval Office and the office in the Executive Office Building were also bugged for general conversations among persons on the premises. Alexander Butterfield told the Ervin committee that the bugs were voice-activated, a term which means that a tape starts running as soon as someone speaks. But TIME has learned that his testimony was incorrect. Voice-activated recording (VOX in the jargon of the snooper's trade) has one major drawback: a slight time lag between the beginning of conversation and the start of recording. As part of the quest for simple, sure fidelity, Nixon's mikes were activated whenever he entered one of the bugged rooms. Strategically placed locator boxes, showing seven locations in all, indicated the President's whereabouts in and around the White House or in the Ex-

ecutive Office Building at any given moment and presumably set the tape machines running when Nixon entered a room.

Four former Nixon aides, who needed to know where Nixon was at all times, had locator boxes in their offices. They were: H.R. Haldeman, onetime chief of staff; Dwight L. Chapin, onetime presidential appointments secretary; Stephen B. Bull, who assisted Chapin with appointments; and Butterfield, then a Haldeman aide. Butterfield also had on his phone a button that could turn on the microphones in the Cabinet Room. When the locator box indicated that the President had entered the Cabinet Room, Butterfield pressed a switch that started the recording device there. Under the table in the Cabinet Room were two buttons the President could use to operate the recording device himself, but Butterfield indicated that Nixon "never paid any attention to them."

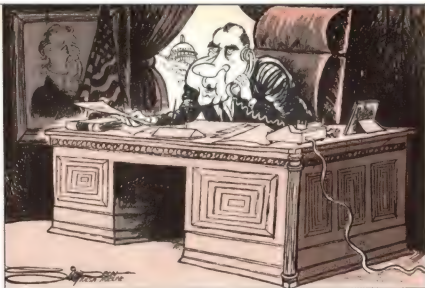
Ervin's committee and that no Secret Service officials would be allowed to testify about how the tapes were handled.

Next day when the Ervin committee tried to question Alfred Wong, who was director of the technical security division of the Secret Service at the time of the eavesdropping installation, he was accompanied by no fewer than six Treasury Department officials. One of them, a department counsel, objected to Wong's answering any questions, and read a letter from Treasury Secretary George Shultz, covering an order from Nixon. The President directed that no Secret Service agent could testify "concerning matters observed or learned while performing protective functions for the President, or in their duties at the White House." The last phrase was vital, since taping Nixon's talks does not seem to belong to any protective function of the service.

During a closed session of the Watergate committee, some of the Senators were so irked at this presidential gag that they wanted to bring Wong before the TV cameras immediately; that would force him to refuse before the vast audience to answer questions. Georgia's Herman Talmadge objected that this would produce a "circus" atmosphere, and his calm advice prevailed. Rather than battle fruitlessly at such a low level, he suggested, Ervin should appeal directly to the President. Ervin did so in a low-key, conciliatory note, merely requesting "that you provide the committee with all relevant documents and tapes under control of the White House." Although the matter is obviously urgent, Ervin asked courteously: "May we hear from you at your earliest convenience?"

The Hoax. If a negative response from the President is received early this week, as expected, the committee will almost surely agree to issue a subpoena for the White House tapes, perhaps with a list of specific dates and conversation participants. Ervin is not at all certain that any personal meeting then to discuss the matter with Nixon would be worthwhile. Before the revelation of the recordings, Nixon had agreed to discuss with Ervin his refusal to submit requested presidential papers to the committee. Noting that "I have hopes even when my expectations are not too strong," Ervin said that he would tell the President precisely what he thinks about the implications that result when anyone withholds evidence. Ervin is respectful of, but not awed by, Presidents. Says he: "For a long time, I've proceeded on the basis that all people put on their trousers one leg at a time."

During one brief and bizarre episode, the ever-optimistic Ervin thought that his hopes had been realized beyond expectation. He announced at a session of the televised hearings that he had just received a telephone call from Treasury Secretary Shultz, whose Secret Service is custodian of the tapes. Shultz, the chairman reported, had revealed that



"Testing 1-2-3... all right, go ahead, Kissinger."

the President had decided to make all relevant tapes available to the committee and would meet with Ervin to arrange the transfer. The chairman praised the President for his "very wise decision." Vice Chairman Baker joined in the salutations, declaring: "It would appear that the White House has shown its spirit of cooperation."

Within a half hour, his face now ruddier than usual, Ervin returned to his Senate Caucus Room microphone to announce that he had been the victim of a hoax. Ervin had just talked to a man "who really assured me he was the real Secretary Shultz, and he informed me that he had had no conversation with me today." Protested the embarrassed Ervin: "It is just an awful thing for a very trusting soul like me to find that there are human beings—if you can call them such—who would perpetrate a hoax like this."

He had believed the first caller, Ervin said, since turning over the tapes was "what I've been praying the White House would do—because it is so rational." Far from amused, both the Ervin staff and the FBI, at White House direction, promptly announced investigations to find who had posed as Shultz.

Beyond its potentially decisive impact on how Americans may judge Nixon's role in Watergate, the revelation of the President's bugging and wiretapping raised other problems for him. It reinforced to a dismaying degree the portrait of a suspicious, self-protective, secretive White House staff.

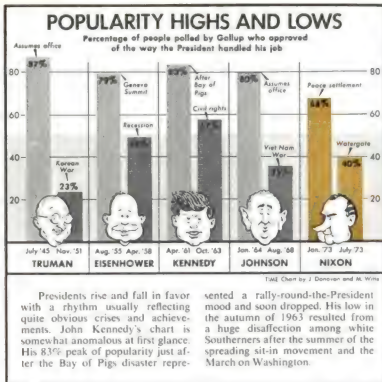
Even the Butterfield explanation of the rationale for the President's clandestine taping—that it was purely for a historical record—was questioned by a former presidential aide, who had not been aware of the bugging. This aide insisted that it was Nixon's "paranoia about the press" that motivated his taping. Explained this official: "The President has had a bad press for a long time. He ordered the taps and bugs to keep his own record of what happened in his offices, to tell what he considered

to be the true story." Yet it is not at all clear how Nixon could use such recordings to refute press accounts.

If the goal was solely to preserve a record for historians, the practice becomes more tolerable. Certainly, a recorder is a more efficient device than a staff member or stenographer taking notes. But taping seems fair only when all parties to a conversation are aware that their words are being recorded. This may hinder candor somewhat, but so does the presence of a note-taker. When only the President is aware of the listening devices, he is in a position to manipulate and distort the historical record with self-serving or misleading statements.

Other Buggings. The reaction to the revelation among U.S. politicians and officials ranged from outrage to "So what?" AFL-CIO President George Meany called it "so fantastic as to be almost beyond belief. God bless the blunderers at Watergate. If they hadn't been so clumsy, America would never have known about things like this." Declared former HEW Secretary Robert H. Finch, a longtime Nixon associate: "I'm literally astonished." Ousted Interior Secretary Walter J. Hickel observed wryly that his problem was not being overheard at the White House but being heard at all. Nevertheless, he thought anybody talking to a President should be aware of any taping "as a matter of self-protection." Republican House Leader Gerald Ford said that he saw "nothing wrong with the practice." Quipped former Republican National Committee Chairman Robert Dole: "I'm glad I always nodded when talking to the President." A Nixon loyalist, former Presidential Aide William Safire, writing in the *New York Times*, said the President was setting "a terrible example" of eavesdropping by his "Monster With Total Recall."

Democrats, predictably, were more critical. Senator George McGovern called the taping "a violation of privacy." House Speaker Carl Albert termed



Presidents rise and fall in favor with a rhythm usually reflecting quite obvious crises and achievements. John Kennedy's chart is somewhat anomalous at first glance. His 83% peak of popularity just after the Bay of Pigs disaster repre-

sented a rally-round-the-President mood and soon dropped. His low in the autumn of 1963 resulted from a huge disaffection among white Southerners after the summer of the spreading sit-in movement and the March on Washington.

the practice "an outrage." Senate Democratic Leader Mike Mansfield said: "I'm not surprised, but I don't like it. I wouldn't mind if they had told me."

Buzhardt's claim that the Johnson Administration had engaged in a similar practice was met with heated denials by some former L.B.J. aides, but it nevertheless seemed generally accurate. Some 500 transcripts of telephone conversations that Lyndon Johnson had selectively and apparently secretly recorded are in the archives of the Johnson Library in Austin, Texas. He was able to push buttons to activate Dictaphones wired to his telephones in both the Oval Office and his White House sleeping quarters. Installed by Army communications experts rather than the Secret Service, the recording equipment was also available in the Cabinet Room. He could reach under the table and throw a switch (among buttons labeled COFFEE, TEA and FRESCA).

Documents in storage for the still-to-be-built Kennedy Library include 68 recordings of John Kennedy's telephone conversations and 125 tapes of presidential meetings. In some cases, said the library's director, Dan H. Fenn Jr., the participants were clearly aware that the recording was being made. He said that most of the topics under discussion seemed to be "highly sensitive foreign policy and national defense matters." Yet the full extent and manner of the Kennedy taping is not clear. The fact that other Presidents also made secret recordings does not make the practice any more attractive. There is a spying, snooping quality in it that seems

beneath the nation's highest office.

Self-taping and self-bugging is not a crime, although recording a telephone conversation without using a beeper to warn the unsuspecting party at the other end is a violation of Federal Communications Commission tariff regulations. The penalty normally is a warning from the telephone company to stop any secret taping or risk the loss of its telephone service. The FCC ordered AT & T to check into the Nixon telephone-taping practice. An official of the AT & T affiliate serving the White House sent a letter of inquiry to the Nixon staff, but conceded: "We certainly wouldn't cut off service to the White House."

The Tampering Theory. There are some who insist that the contents of the tapes, if they are ever made public, will have no great impact on the Watergate drama because they will have been doctored to protect the President. Recording experts seem to disagree on whether this can be done without danger of detection. While tapes can readily be spliced, erased and dubbed to add, delete or transpose dialogue, and then retaped, the relative age of the tape can be analyzed. So can the precise acoustics, including inaudible frequencies, so that the exact room setting and microphone placement of any new taping would have to duplicate those of the original. To drag even more conspirators into the Watergate cover-up in an effort to accomplish such slick editing would seem unlikely and dangerous indeed.

Moreover, if Dean's version of var-

ious talks with the President is accurate, it would take extensive doctored of the tapes to get the recordings to reflect the conflicting White House version. Among the tapes that would seem to be especially significant for the Ervin committee are those of the following specific Nixon-Dean talks:

SEPT. 15, 1972. This is the earliest date on which, Dean contends, the President made it clear to him that he was aware of the cover-up. He did so, Dean claims, by congratulating him on helping to confine the grand jury indictments to the level of G. Gordon Liddy, the former counsel to the Nixon re-election finance committee. Testified Dean: "The President told me I had done a good job and he appreciated how difficult a task it had been and the President was pleased that the case had stopped with Liddy." Dean claimed that Nixon also said, "That's helpful," when Dean explained that lawyers were making out-of-court contacts with a Washington federal judge in an effort to delay consideration of Democratic Party civil suits until after the election. The White House account asserted that Dean had merely "reported Watergate indictments."

FEB. 27, 1973. Dean testified that he was again congratulated by the President on his Watergate work and that he warned Nixon that he was not sure the investigation "could be contained indefinitely." Nixon, he said, replied that he "was confident" Dean could do so. The White House summary: "Dean suggested White House aides submit answers to interrogatories."

FEB. 28. Dean contends that he reported to the President that the cover-up activities could be considered criminal; most notably, he felt that he, Dean, could be charged with obstruction of justice. The White House version is



SPECIAL PROSECUTOR ARCHIBALD COX
Do the tapes tell of crimes?

Texaco introduces a fantastic new mileage ingredient.

The way you drive and take care of your car can do more to give you better mileage than any gasoline additive ever could. That's important anytime. And especially now during the energy shortage.

Remember to keep your car properly tuned up. A poorly tuned car actually uses 5% to 8% more gasoline.

Form car pools. A car that's sitting in a garage doesn't use any gasoline at all.

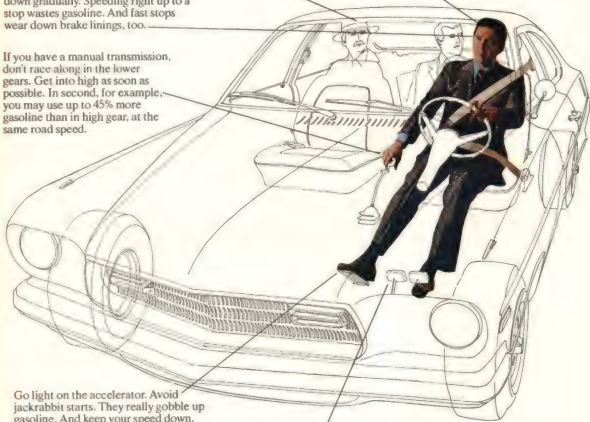
Anticipate stops. Look ahead for red lights and stop signs, so you can slow down gradually. Speeding right up to a stop wastes gasoline. And fast stops wear down brake linings, too.

If you have a manual transmission, don't race along in the lower gears. Get into high as soon as possible. In second, for example, you may use up to 45% more gasoline than in high gear, at the same road speed.

Go light on the accelerator. Avoid jackrabbit starts. They really gobble up gasoline. And keep your speed down. A car going 70 mph uses about 25% more gasoline than one going 50 mph.

Don't ride the brake. Even light pressure on the brake pedal, especially with power brakes, makes your engine work much harder and wastes gasoline. So brake only when you need to slow down or stop.

You.



We're working to keep your trust.

What Do Men Think About Today's Women?

Women And The Law; The Equal Rights Amendment.

Women As Sex Symbols.

What's So Different About A Woman's Life, Cradle To Grave?

Working Women; The Impact On The Economy.

Marriage And Alternatives To Marriage; Lesbianism.

The Single Woman: Odd Woman Out?

Women In Politics, Athletics, Religion.

Women In The Executive Suite.

Divorce; The Single Parent; Day-care Centers.

Women And Mental Health.

Drug And Alcohol Use.

Famous Women And Their Husbands.

Wives Of Famous Men.

Women At Lunch: The High Point Of The Day?

The American Woman.

Who is she? What does she want?

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contradictory: "President inquired of Watergate. Dean said no White House involvement."

MARCH 13. Probably the most significant conversation of all. By Dean's account, the President discussed both payoffs and Executive clemency for the convicted wiretappers. Dean said that he thought it might cost \$1,000,000 to keep the men quiet. "He told me that that was no problem, and he also looked over at Haldeman and repeated the statement." Later, testified Dean: "The President then referred to the fact that Hunt had been promised Executive clemency. He said that he had discussed this matter with Ehrlichman and, contrary to instructions that Ehrlichman had given Colson not to talk to the President about it, that Colson had also discussed it with him later."

The White House version of this meeting made no mention of the \$1,000,000 or Executive clemency. Its main points: "President asked if Mitchell and Colson knew of Watergate. Dean

the grand jury without immunity." If a tape does disclose Nixon's self-serving "joking" reminder about the \$1,000,000, it would clash directly with the claim that he had earlier dismissed such a payoff as pure black mail.

Beyond the Dean conversations, Nixon's discussions with John Mitchell in numerous telephone talks immediately after the Watergate arrests on June 17, 1972, are wanted by the Ervin committee. According to Mitchell's testimony, in only one of the calls did Nixon even inquire of Mitchell what he knew about the Watergate operation. Also of great interest to the investigators is a June 30, 1972, meeting at which Nixon and Mitchell discussed Mitchell's leaving the Nixon campaign committee. Mitchell testified that the only reason was personal; his wife Martha was insisting that he get out of politics. Committee investigators are highly skeptical that that was the main reason.

The fact that Nixon was always aware that recordings were being made

tee issues a subpoena for specific conversations. Nixon declines to honor the subpoena. The Ervin committee, by majority vote, cites the Secret Service officer who is now custodian of the tapes for contempt of Congress. Also, needing only a majority vote to do so, the full Senate confirms this citation.

This Senate citation is turned over to Special Prosecutor Cox for consideration by a grand jury. An indictment results, and the custodian is arrested. The case comes before Federal District Judge John J. Sirica, who decides against the custodian's plea of Executive privilege. Sirica orders that the tapes be delivered to the Senate committee. The White House appeals, first in the Washington Circuit Court of Appeals, then in the Supreme Court, losing both times (though that is by no means certain). It is now early autumn. The President then either yields to the Supreme Court ruling and furnishes the tapes or ignores it, though it is almost inconceivable that he would not obey the

United States Senate

SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITY
ESTABLISHED BY S. RES. 1, 90 CONGRESS
WASHINGTON, D.C. 20510

July 17, 1973

THE WHITE HOUSE
WASHINGTON

July 16, 1973

The President
The White House
Washington, D. C.

Dear Mr. President:

Today the Select Committee on Presidential Campaign Activities met and unanimously voted that I request that you provide the Committee with all relevant documents and tapes under control of the White House that relate to the matters the Select Committee is investigating.

ERVIN LETTER REQUESTING NIXON'S SECRET TAPES

If the recordings would clear the President, why not roll them up to Capitol Hill in a wheelbarrow?

said there was nothing specific on Colson; he didn't know about Mitchell but Strachan could be involved. President states again Dean should compile a written report about the matter."

MARCH 21. This is the date on which, both Dean and the White House agree, Dean told the President nearly everything he knew about who might be implicated in Watergate. But the White House also contends that this is the time at which \$1,000,000 in payoff money was mentioned and that the President "stated it was blackmail, that it was wrong, that it would not work, that the truth would come out anyway."

APRIL 15. Dean suspected that this was being taped and he might be being set up as "the fall guy." Dean contends that Nixon told him he had only been "joking" when he had said on March 13 that \$1,000,000 in payoff money was no problem. Nixon, according to Dean, whispered in a corner that he had been "foolish" to discuss Executive clemency with Colson. The White House account claims that at this meeting "the President told Dean that he must go before

Dear Secretary Shultz:

I hereby direct that no officer or agent of the Secret Service shall give testimony to Congressional committees concerning matters observed or learned while performing protective functions for the President or in their duties at the White House.

NIXON ORDER BANNING SECRET SERVICE TESTIMONY

could explain what Dean interpreted as Nixon's frequent misunderstandings or apparent non-comprehension of what Dean was telling the President about Watergate. After Dean fully briefed Nixon about all of the implications on March 21, 1973, for example, Nixon's response was a puzzling non sequitur: Why didn't Dean now brief the Cabinet along the same lines?

While the President's anticipated refusal to release the tapes is dangerous politically, since it could widely be interpreted as a deliberate attempt to hide incriminating evidence, it also poses extremely hazardous legal implications. TIME Correspondent David Beckwith, who covers the Supreme Court and the Justice Department, last week consulted Ervin-committee counsels and other legal sources and came up with the following possible and gravely serious scenario in the battle over the tapes:

The President refuses to turn over the tapes, but offers to furnish summaries of the desired conversations. The committee demands the tapes. The President declines again. The commit-

tee issues a subpoena for specific conversations. Nixon declines to honor the subpoena. The Ervin committee, by majority vote, cites the Secret Service officer who is now custodian of the tapes for contempt of Congress. Also, needing only a majority vote to do so, the full Senate confirms this citation.

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THE CONSTITUTION

The Law on the Tapes and Papers

When the congressional request for certain of his papers was formally filed, the President quickly convened a Cabinet meeting so that the confrontation would be handled as correctly and carefully as possible. George Washington knew that this first effort of Congress to investigate an Executive Branch matter would be a vital precedent. He and his Cabinet members unanimously agreed "that the Executive ought to communicate such papers as the public good would permit and ought to refuse those the disclosure of which would injure the public."

That 1792 precedent has stood. As Senator Sam Ervin's committee grapples with the problem of getting Nixon's presidential papers, tape transcripts or the tapes themselves, the legal situation is much as Washington left it.

Presidents have continually suffered congressional inquisitiveness and have generally claimed that their response was a matter of presidential discretion. In that first case, for instance, which involved a military campaign against the Indians, Washington did agree to turn over the papers being sought. But four years later he turned down a request from the House for the written instructions to diplomats who had negotiated a treaty with Great Britain.

Theodore Roosevelt rebuffed a congressional attempt to get documents on a federal legal action that had or had not been undertaken against U.S. Steel—and if not, why not. (Lest it seem that nothing changes over the years, T.R.'s partial excuse was that he could not violate a promise of secrecy to an individual, an explanation that in this suspicious age would be hooted down.)

Within a month of taking office, John F. Kennedy was tangling with a congressional subcommittee that wanted documents on foreign aid programs for Latin America; after considerable acrimony, the documents were reluctantly, but voluntarily, turned over.

Open Door. A critical element in these and similar confrontations, observes New York Lawyer Martin F. Richman, a former Justice Department official, has been that "the committee involved usually backs down on its demand, but the Executive also backs down by providing the substance of the information sought in some other way." Which is one reason why there are virtually no court decisions dealing directly with the subject.

Because of that vacuum, constitutional scholars can scarcely be sure of anything. But there is general agreement that tapes and tape transcripts are legally the same as documents for the purposes of subpoena. And, for that matter, there is no major legal difference between a request for presidential papers and a request for his personal

testimony. To date, there has never been a congressional subpoena issued to a President. Senator Ervin is confident that one could be, however. Such a subpoena, he argues, would not violate Executive privilege if it sought specified material that related only to campaign or allegedly illegal activity. Besides, he adds, the President has already waived his Executive privilege by allowing aides to testify; having opened the door with those aides, he cannot now close it for his papers.

Ervin is fond of citing a subpoena for certain papers and testimony issued to President Thomas Jefferson. But Jefferson's information was sought not by Congress but by a court for the criminal trial of Aaron Burr on treason charges. The situation is different when the Legislative Branch is locked in direct conflict with the Executive. Only last year Justice William O. Douglas ar-

readily filed a written request for the Nixon tapes, and, should Nixon eventually ignore a grand jury subpoena in that investigation, he might well run head-on into his own law-and-order majority on the Supreme Court.

In deciding last year that a grand jury could require a senatorial aide to testify about non-legislative affairs, Justice Byron White observed for the majority that "the so-called Executive privilege has never been applied to shield Executive officers from prosecution for crime." In another case requiring newsmen to answer grand jury questions, White, again for the majority, indicated that "in proper circumstances a subpoena could be issued to the President of the United States." And in the Pentagon papers case, Chief Justice Warren E. Burger criticized the New York *Times* for failing "to perform one of the basic and simple duties of every citizen" when it became aware of stolen property. "That duty . . . was to report forthwith to responsible officers. This duty rests on taxi drivers, Justices and the New York *Times*." It is because of



WASHINGTON



ROOSEVELT



KENNEDY



JEFFERSON

gued that it is "no concern of the courts, as I see it, whether a committee of Congress can obtain [an Executive Department document]. The federal courts do not sit as an ombudsman, refereeing the disputes between the other two branches." The statement was an aside in a dissent; but since that is the view of the court's most liberally activist member, it seems possible that the Supreme Court might decline to rule on "*Nixon v. the Ervin Committee*," rather than turn matters into a three-way separation-of-powers brouhaha. That is, unless Ervin can make stick his contention that Congress has the same powers as a court in probing illegal White House activities, or unless he can force a criminal contempt-of-Congress charge to be brought.

The court is less likely to be able to duck any conflict resulting from a criminal case or a criminal investigation, such as that of Special Watergate Prosecutor Archibald Cox. There, a denied request for documents would not be a squabble between the two other governmental branches; criminal matters are an area of direct judicial concern. Though Cox originally announced that he had been assured full White House cooperation, there has in fact been foot-dragging on many requests. Cox has al-

observations like these that many legal scholars guess that the President would lose a court test against a Cox grand jury, and sooner or later must yield.

Stanford Constitutional Expert Gerald Gunther notes an intriguing paradox, however, that might develop if Nixon did somehow prevail in court. "The more Nixon wins the Executive privilege issue against Ervin and Cox," says the law professor, "the more the pressure builds for an impeachment proceeding." For, unless the President took the politically suicidal road of invoking his Fifth Amendment privilege against self-incrimination, Congress could assuredly get any documents it wanted during an impeachment. Teddy Roosevelt recognized that reality when he withheld the U.S. Steel papers. The only way to get the papers, he told the Senate in his characteristically bully way, was to impeach him. Former Attorney General Richard G. Kleindienst also said as much four months ago, when he announced the Administration's broadest Executive privilege claim. President Nixon has already beaten several tactical retreats from that blanket no, most notably in permitting his former aides to testify before the Ervin committee. There may be more concessions to come.

Finally, "Hehrldeman" on the Stand

Though they are not likely to, the two men who could do most to untangle the contradictions of all the Watergate testimony are due to face the Ervin committee this week. Until their resignations April 30, H.R. Haldeman as White House Chief of Staff and John D. Ehrlichman as Domestic Affairs Adviser were, along with Henry Kissinger, the men closest to Richard Nixon. Both are Christian Scientists; they attended U.C.L.A. together, share a passion for photography, a longtime friendship—and unwavering loyalty to Nixon.

Haldeman began doing volunteer work for Nixon in 1952, and has worked in every Nixon political foray since then, while becoming a successful Los Angeles adman. Ehrlichman was settled in Seattle with a reputation as an effective zoning lawyer and an avid conservationist. At Haldeman's urging, he joined Nixon's unsuccessful 1960 presidential campaign, then rejoined in 1968 and moved on into Washington with his political mentor. More than anyone else, the two made Nixon's White House work, but in an arbitrary and authoritarian fashion that made them a good many enemies and critics as well. On the eve of their Senate appearance, *TIME* Correspondent Bonnie Angelo sent this retrospective view of what life was like behind the "Berlin Wall" they created around Nixon:

If the Ervin committee drives a wedge between Ehrlichman, 48, and Haldeman, 46, in the course of next week's interrogations, it will be a first. Together they rose to their ultimate power and fell from it. Together they ran the White House. Together they became a superentity called "Hehrldeman." White House Insider Richard A. Moore spoke for many when he confessed to the Senate committee, "I always got them mixed up."

At the outset of the Nixon Administration, Haldeman was first among equals, the dour watchdog at the Oval Office gates who determined who and what the President saw and heard. Ehrlichman began as no more than an important secondary player. During that first year as the President's counsel, Ehrlichman was engrossed in working out details of the President's real estate transactions at Key Biscayne and San Clemente, and other peripheral matters and issues regarding possible conflicts of interest.

Haldeman was the undisputed power in the Nixon White House. The taut, crew-cut chief of staff had a finger in everything, from top-level staffing to deciding who should be invited to the Nixon parties. In his zeal for absolute power, Haldeman even tried to replace the President's personal secretary, Rose Mary Woods, who has been at Nixon's

right hand since 1951, and is almost a member of the Nixon family.

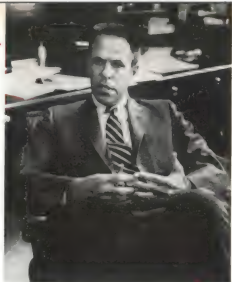
Soon Ehrlichman, with Haldeman's backing, began to rise in the White House hierarchy. Said one former aide: "The President was longing for a certain neatness and efficiency. He turned out to be a person the President liked and worked well with." But another former colleague noticed a weakness: "What hurt him was that he did not have the sensitivities he needed to have in the Washington community. As 'Uncle Joe' Cannon used to say, 'Keep your ear so close to the ground you get grasshoppers in it.'"

Although Haldeman and Ehrlichman have merged into one formidable figure in the public mind, "This is unfair to Ehrlichman," says one who knew both well. "Ehrlichman was a good person to work with; you always got a fair hearing from him. He has a nice sense of humor and was never curt—not that Prussian image. He would sit with his feet on the desk and talk ideas. But Haldeman—well, the public image is the correct one. I've never known him to crack a joke. I've never known him to seem relaxed."

Kenneth R. Cole Jr., Ehrlichman's former assistant, expresses the same view: "He is a much warmer human being than most people perceive. On Mother's Day, he sent boxes of candy to the White House telephone operators. It used to drive us to distraction the way he would constantly be meeting with people who had no relation to the business at hand. Like, maybe, a Boy Scout troop—he'd be over in the White House theater telling them about the place."

Ehrlichman is described as being unflappable. Cole remembers a flight they shared into Utah one day when the aircraft's hydraulic system failed. "The pilot was wrestling with it, and the other passengers were saying their prayers in a panic. But John was sitting back looking over his briefing papers. When we came in for a landing, all these fire trucks were alongside—and there was John with his Minox, taking pictures of the emergency equipment rushing in to save the plane."

As the 1972 campaign began to gear up, there was bad blood between Ehrlichman and John N. Mitchell. When Clark MacGregor took over, the same friction persisted. Ehrlichman wanted a bigger voice in strategy, and his differences with MacGregor grew to the point that the two had to have it out, with Haldeman as mediator. Haldeman noted that Ehrlichman had made his point—and backed MacGregor. It was one of the rare times the two friends came down on different sides of a problem. As time went on, both seemed to



HALDEMAN BEFORE RESIGNATION

feel the Government of the U.S. was synonymous with the presidency. Ehrlichman once told a reporter: "The President is the Government."

Ehrlichman subscribed wholly to Nixon's oft-expressed dictum that the best defense is a good offense. He once responded to an inquisitive journalist: "Who do you reporters represent? Who elected you to anything?" The same biting attitude could be aimed at Congressmen—that "bunch of clowns." Ehrlichman once called them. And even the President's own Cabinet was denigrated as taking up Nixon's valuable time with "their show-and-tell sessions."

Such gibes saddened those who liked Ehrlichman. Long ago, the tight-lipped, buttoned-down Haldeman was written off as a man of blacks and whites, allies v. enemies, a man with no desire to be liked and not likely to be. But somehow, people expected more savvy from Ehrlichman, who seemed to move more easily in Washington social circles. But he never did learn to take the advice of Uncle Joe Cannon. He never had an earful of grasshoppers.



EHRICHMAN IN WHITE HOUSE OFFICE

THE HEARINGS

Speaking of Money and Propriety



Though the week's most startling disclosure before the Ervin committee came from former White House Aide Alexander P. Butterfield, there were other bits and pieces of fresh insight into the workings of Watergate as the Senators quickened their pace, working toward an Aug. 3 recess. The witnesses and their key testimony

HERBERT W. KALMBACH, 51, the President's personal attorney and long-time political fund raiser, described how he raised \$220,000 for the seven Watergate defendants last year (see chart following page). He undertook the job at the request of John Dean. Kalmbach testified, who "made a very strong point that absolute secrecy was required."

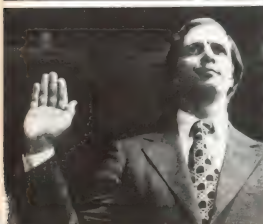
Most of the \$220,000, Kalmbach told the committee, was provided by Nixon re-election officials from various campaign contributions: \$75,000 came from Maurice H. Stans, the former Secretary of Commerce and chairman of the Finance Committee to Re-Elect the President; and \$70,000 came from Frederick C. LaRue, an aide to former Attorney General John Mitchell and formerly an official at the Committee for the Re-Election of the President. Another \$75,000 Kalmbach got directly from Thomas V. Jones, president and board chairman of the Northrop Corp., a Los Angeles-based aerospace company. (Jones claimed that the amount was \$50,000.) Most of the money was passed in turn to Mrs. E. Howard Hunt Jr., wife of one of the men who pleaded guilty in the Watergate conspiracy. When she was killed in an airplane crash in Chicago last December she was carrying \$10,000 in \$100 bills.

Insisting that he had first believed the money was to be legitimately used for the defendants' legal fees and family support, Kalmbach admitted that he became increasingly uneasy about the "propriety of this assignment." Finally, in July 1972, he sought an appointment with Ehrlichman at the White House, and told him: "I am looking right into your eyes ... and it is absolutely necessary, John, that you tell me that John Dean has the authority [to order the collection of funds for the defendants], that it is a proper assignment, and that I'm to go forward on it." According to Kalmbach, Ehrlichman replied: "Herb, John Dean does have the authority, it is a proper assignment, and you are to go forward."

Kalmbach was temporarily mollified, but in August or September he told Dean that he would raise no more money. Nonetheless, he was called to Washington last Jan. 19 to attend a meeting

in John Mitchell's office. When he realized that the purpose was to induce him to raise more money for the defendants, Kalmbach testified, he left the meeting. In hindsight, he said, he regarded the work as "an improper, illegal act," and implied that he felt Haldeman, Ehrlichman, Dean and Mitchell had betrayed him.

In his second day of testimony, Kalmbach described an earlier escape on the Administration's behalf. He said that in 1970, under orders from Haldeman's aide Lawrence M. Higby, he collected \$400,000 in funds left over from the 1968 campaign and delivered it to men he had never met before. Kalmbach said he eventually came to believe that the funds were used in an unsuccessful effort to defeat George C. Wallace in the 1970 Democratic primary campaign for Governor of Alabama; such a defeat might have kept Wallace from taking votes away from



ULASEWICZ DESCRIBING HIS MONEY "DROPS"
The cookies were hard to get rid of.

Nixon in the 1972 presidential election.

Kalmbach asserted that he had never engaged in the illegal practice of soliciting campaign contributions from corporations. That contradicted the statement of George Spater, board chairman of American Airlines, Inc., who said three weeks ago that his company illegally gave \$55,000 to Nixon's 1972 campaign at Kalmbach's request. Last week a second corporation, Ashland Oil, Inc., admitted that it had made a \$100,000 illegal gift to Nixon's re-election drive.

The committee also released the transcript of a telephone conversation between Kalmbach and Ehrlichman that took place last fall a day before Kalmbach was to testify before the Watergate grand jury. The conversation was recorded by Ehrlichman unknown to Kalmbach, and was apparently subpoenaed by the Ervin committee; it was somewhat similar to a tape recording of a conversation between Ehrlichman and former Attorney General Richard Kleindienst in that in both conversations Ehrlichman pointedly emphasized his own innocence in the Watergate cover-up. When he learned later that Ehrlichman had recorded the conversation,

ERVIN COMMITTEE WITNESSES (FROM TOP): KALMBACH, LARUE, MARDIAN & STRACHAN TAKING OATH BEFORE GIVING TESTIMONY



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THE NATION

exception to the previous testimony of at least five other witnesses. Examples: 1) Mardian recalled telling Mitchell that Liddy said Mitchell had approved of Liddy's \$250,000 eavesdropping scheme. Mitchell, insisted Mardian, "didn't deny it." 2) John Dean was "dead wrong," testified Mardian, in saying that Mardian had been given access to confidential FBI reports regarding the Watergate investigation. 3) He staunchly denied that he had taken part in a discussion concerning Jeb Magruder's plan to perjure himself before the Watergate grand jury.

Mardian insists that although he had little use for Liddy, he felt obliged as a counsel to the C.R.P. to protect the confidentiality of information entrusted to him by Liddy and other C.R.P. staff members. Describing a meeting with Liddy on June 20, 1972, Mardian recalled that Liddy had tried to convince him that the Watergate break-in could not be traced to officials of the C.R.P. because the five men arrested inside the Watergate were all "real pros" who had been involved in other "jobs."

Liddy, said Mardian, cited the 1971 illegal entry into the office of Daniel Ellsberg's psychiatrist. Mardian added that when he asked who had authorized the burglary of the doctor's office, Liddy may not have mentioned the President but gave Mardian the clear "impression" that Nixon was responsible. Liddy was so anxious to destroy evidence of his own involvement in the Watergate break-in, said Mardian, that he even shredded the wrappers from soap bars he had collected in various hotels, as well as several \$100 bills that might be identifiable as part of the campaign contributions.

GORDON STRACHAN, 30, former aide to H.R. Haldeman, was the week's final witness and had time only to make an opening statement. In it he testified that Haldeman was advised more than two months before the Watergate break-in that the C.R.P. had set up a "sophisticated political-intelligence-gathering system." Following the break-in, "after speaking to" Haldeman, Strachan said he destroyed several documents that might have proved embarrassing to the White House staff—including the memorandum that had informed Haldeman of the intelligence system.

Strachan declared to the committee that he would disclose further information when cross-examined that would be "politically embarrassing to me and the Administration." But he stopped short of implicating Haldeman in either the Watergate break-in or cover-up, and is likely to be a target of sharp interrogation on this and other subjects this week. But the questioning will probably be brief, since committee members are anxious to get to the big guns next in line: John Ehrlichman and H.R. Haldeman.

DEFENSE

Bombing Coverup

"American policy since [1954] has been to scrupulously respect the neutrality of the Cambodian people."

Thus President Nixon, in his April 30, 1970, television speech to the nation justifying the U.S. and South Vietnamese incursion into the Parrot's Beak of Cambodia, denied any previous American military action in the officially neutral kingdom of Prince Norodom Sihanouk. In fact, as a result of testimony by a former Air Force officer before the Senate Armed Services Committee last week, it was revealed that the President had for the previous 14 months personally authorized the secret bombing of Cambodia, a clandestine campaign by B-52s that poured over



FORMER MAJOR HAL M. KNIGHT TESTIFYING
Burned orders and doctored reports.

100,000 tons of explosives in 3,630 missions onto suspected North Vietnamese sanctuaries just across the border. The U.S. command hoped that the heavy bombing would disrupt otherwise safe staging areas used by the Communists for damaging attacks on American outposts in South Viet Nam. A secret "double entry" reporting technique was used by the Administration to hide the raids from the American people and Congress.

Former Air Force Major Hal M. Knight had served as an operations officer at a radar-guidance station in Bien Hoa, South Viet Nam, in 1970. He told the committee that he and others had doctored reports to make it appear that the Cambodian missions had been flown against targets in South Viet Nam. True reports on the Strategic Air Command bombing runs out of Guam or Thailand—as many as 407 in one month—were routed directly to President Nixon, National Security Adviser Henry Kissinger

and a small handful of top officials, bypassing the normally classified Pentagon record-keeping channels.

Although a few friendly congressional leaders, Senator Barry Goldwater for one, were apprised of the secret bomb runs, the Senate Armed Services Committee was repeatedly told that no bombs were dropped on Cambodia before the April 29 invasion into the Parrot's Beak. An official declassified Pentagon list of all American attacks in the area, provided Democratic Senator Harold E. Hughes this spring, showed "zero" bombing in Cambodia before the 1970 incursion. Last week Hughes called the false reporting system "official deception" and demanded the resignations of the responsible officials.

Finding them may not be easy. Melvin Laird, former Secretary of Defense, and General Earle G. Wheeler, then Chairman of the Joint Chiefs of Staff, both hastily denied having ordered the falsifications. Henry Kissinger also asserted no knowledge of the Air Force's peculiar reporting procedures. After considerable doubletalk, the Pentagon finally issued a public statement saying only that the falsification processes were "authorized and directed from Washington."

Secured Orders. Whoever was responsible apparently did not feel that the Pentagon's normal channels of secrecy would sufficiently guard the Cambodia bombing. Major Knight said that bombing orders in sealed, unmarked envelopes were secretly flown from Saigon by propeller-driven courier aircraft each afternoon before a raid. They were kept under lock and key until dusk—the missions were flown at night to avoid detection—then transmitted by radio to the approaching B-52s.

Following each sortie, the radar-station crew worked up a set of precisely executed fictitious reports with false map coordinates for transmission to the normal reporting channels. The next morning, said Knight, he carefully burned all copies of the actual orders for the Cambodian targets in a special barrel outside his hut. Then he telephoned a special contact number in Saigon to deliver an innocuous mission-accomplished code line: "The ball game is over."

Some Administration officials claim that the remarkable cloaking—euphemistically called "special security reporting procedures"—was necessary to placate the relatively powerless Prince Sihanouk, who allowed the North Vietnamese to operate freely in border areas he could not control but secretly acquiesced to the American bombing at the same time. But Knight's commanding officer once told him that the duplicity was designed to serve the political purpose of keeping Senator J. William Fulbright's dovish Foreign Relations Committee from finding out what was going on. The information would also have provided fresh fuel to the antiwar protest movement.



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†Av. Per Cigarette, FTC Report FEB. '73.

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1951	12,734	+14.84	1,645		11,025
1952	14,166	+11.24	1,432		11,576
1953	14,150	- .11		\$16	12,155
1954	20,233	+42.99	6,083		12,763
1955	23,805	+17.65	3,572		13,401
1956	25,604	+ 7.56	1,799		14,071
1957	23,023	-10.08		2,581	14,775
1958	32,088	+39.37	9,065		15,514
1959	36,198	+12.81	4,110		16,290
1960	37,403	+ 3.33	1,205		17,105
1961	46,911	+25.42	9,508		17,960
1962	41,484	-11.57		5,427	18,858
1963	48,519	+16.96	7,035		19,801
1964	54,866	+13.08	6,347		20,791
1965	66,256	+20.76	11,390		21,831
1966	62,785	- 5.24		3,471	22,923
1967	84,294	+34.26	21,509		24,069
1968	99,138	+17.61	14,844		25,272
1969	85,100	-14.16		14,038	26,536
1970	78,616	- 7.62		6,484	27,863
1971	94,008	+19.58	15,392		29,256
1972	103,898	+10.52	9,890		30,719

*Figures in this table are based on annual performance averages of funds listed in the Management Results section of Wiesenberger's *Investment Companies*, except for the categories of bond and preferred stock funds, tax-free exchange funds and international funds. Annual average performance was derived by adding each fund's performance and dividing by the number of funds. New funds were added as they appeared in the Wiesenberger volumes which were used. In 1950, 1961 and 1970, for example, the number of funds was 40, 145 and 307, respectively. Investment results assume initial investment of \$9,150 following deduction of sales charge of 8% percent and subsequent reinvestment of dividends and capital gains. 1972 numbers are preliminary.

As the table on the opposite page demonstrates, mutual funds, on the average, have piled up a pretty impressive record over the years.

\$10,000 to \$103,898

It shows how an investment of \$10,000 in 1950, measured by the average performance of mutual funds, would have grown to \$103,898 by the beginning of 1973.

That's a net gain of \$93,898—after paying management fees and any sales charges.

In contrast, \$10,000 at 5% interest compounded annually would have produced a guaranteed net gain of \$20,719 over the same period.

(Note: Naturally, you don't have to invest \$10,000. You can buy mutual fund shares with virtually any amount from \$100 up. Or as little as \$25 a month after a modest initial payment.)

Past performance, of course, is no guarantee of the future, and the record of any individual fund varies with its investment objectives.

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So they give your dollars a chance to multiply.

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Basically, it's a group of people with the

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When you buy shares in a mutual fund, your money is combined with that of the other investors in a diversified group of securities, usually stocks. The securities are selected, and constantly reviewed, by the fund's managers on the basis of the fund's stated objectives.

There are several kinds of funds. One kind may specialize in securities the managers believe will increase in value (growth funds). Another may look for those with good income as well as prospects for growth (income plus growth funds).

Although there's some degree of risk in any investment, full-time professional management, plus diversification, helps reduce the risks for mutual fund shareholders.

How can I get more facts?

You can ask your stockbroker about mutual funds.

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For each fund you consider, you will be provided with detailed information (a prospectus), including the fund's year-by-year record.

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THE PRESIDENCY/HUGH SIDNEY

Beyond the Watergate Crisis Is the World

And the world keeps on moving—some 3,496,000,000 other people who may be fascinated with our internal miseries but whose self-interest comes first.

It is a new and special mission of a profoundly concerned Henry Kissinger somehow to preserve and nurture the fragile global tranquility that has been achieved, to push it beyond the poison of Watergate and define a bipartisan national purpose and leadership that can keep up the momentum for peace.

His charter comes from the beleaguered Nixon. Kissinger has been a busy man these past few days, talking into the night with his old patron Nelson Rockefeller, spending hours in gentle advocacy with Democratic and liberal Republican Senators, seeking out editors and friends to search for grounds for unity.

He is not seeking absolution for himself or Nixon of the Administration's troubles, nor is he seeking diversion. That time is past. He knows that doubts and distrust now plague him. He has had his moments of arrogance and made mistakes, but his work has transcended those things, and that is why people still listen. Thoughtful men know Kissinger is right, even while harboring doubts that Richard Nixon is constitutionally capable of any cooperative enterprise. There must be some new sense of leadership.

The other day Kissinger sat at the round table in the corner of his office in the White House, a melancholy place now. Something Chou En-lai had told him on his first visit to China came back with special poignancy, almost like a poetic refrain. "There is turmoil under the heavens, and we have the opportunity to end it," Chou had said in the summer of 1971. That line—that language—alone was almost enough to make Kissinger an admirer of Chou's. It is Kissinger's purpose for being. His deep worry is that the chance may be slipping through our fingers as we stop everything and pour all of our attention and energy into Watergate.

"The opportunity for a lasting peace transcends a particular Administration," says Kissinger. "It has to do with us as a people. We have got to broaden the base so this effort can become truly national and enduring beyond a single Administration. This country has seen so much agony in the past ten years that we must unite in some sense of purpose."

Kissinger still is a bit overweight and fighting it. His hours are full. There still are light flicks of humor in his conversation. Yet, he is changed in a subtle way. He was stunned by Watergate; his prodigious intellectual energies have been idling. He seems just now to have given them renewed impetus. For Kissinger, the special world of the White House that gave him so much protection and so much support over these past 4½ years is shattered. His work is threatened.

"It is a national emergency," he says. "History will not wait until we sort ourselves out internally. I'm not saying that we shouldn't sort ourselves out internally. But while it goes on the world keeps moving, and we cannot neglect it."

The faces of the men he has met in his extraordinary journeys keep floating up in front of him. They are no longer names on yellow cables, or legends out of textbooks. They are colleagues, the most remarkable collection any living man can claim.

"We are dealing with old men in China," Kissinger says quietly. "They have come to certain insights from their long experience. We must make that relationship permanent. The pace at which things have moved in two years, from a secret trip to China to *de facto* ambassadors, shows how urgent they consider it. In the Soviet Union we have the last generation that went through the whole Communist history. The men there now were in the revolution and World War II, and we must use their experience to bring about a lasting peace. The next generation will be different—born into it. In Europe we still have a generation that formed the Atlantic Partnership. The emotional conditions of that partnership still exist, although adjustments are required. We must strengthen our relationships. Japan is emerging into great-power status for the first time since the end of the war. The underdeveloped world still needs attention, and there are crisis areas like the Middle East."

The anguish of Kissinger rises as he talks. In one sense the world has been his for these past years. He has listened to all its cries for help and to its threats. He has flown to its remote corners and its grandest cities. Almost like a parent with a willful child, there is great love but great concern.

"We can't stop. We can't conduct foreign policy as a partisan matter. I realize that many people are very bitter. I understand that it is the responsibility of this Administration to take the first step in turning this into a national effort. This should not be difficult, because our foreign policy has been based on our common interests as a people. It is essential for the remainder of the President's term that we preserve the chance for a lasting peace. People have to ask what they genuinely want to do. We can't be so mesmerized by the past that we will forget that question."

The historian and scholar in Kissinger feels special pain. He has studied those interludes in the affairs of men that have changed civilization. He senses we are on the brink of one now.

"If we look at history we see that there are certain periods and circumstances that have offered the opportunity for peace. Basic relationships are more important at such times than any conflict. We have China entering the world, the Soviet Union acting like a great power and less like a revolutionary, and the United States understanding she is no longer on a crusade. The leaders of these nations have learned the limits of previous policy. They now relate to each other in a constructive way; the tensions we see now are a healthy sign of growing. We are developing a code of conduct with our former adversaries and a system of competition with our friends. We just can't stop for 3½ years. These are all green shoots. They must be allowed to grow. We have no monopoly on perception. We need everybody's help. We can't conduct foreign policy without the nation's leadership behind us. If there is indifference or nagging at every initiative, it deprives the people of confidence. The country is so absorbed in its internal drama that a lot of people say, 'To hell with foreign policy; we're too tired; we need a rest.'"

It is not impossible that there is some opportunity to be seized in the Watergate disgrace, Kissinger believes. When the trauma has passed, it could bring people to a common cause.

"Watergate could throw us back to essentials," he says. "We could come together on the fundamentals. Most leaders in the other nations are still with us. They feel that our policy has been creative. They will continue to believe that if they can count on us. But if we do not live up to our commitments now, they will have to begin to reassess their relationships based on what we can deliver."

The world keeps moving. Henry Kissinger looks out over the White House lawn. Bathed in the golden sun of a summer afternoon, all the world with all its nations and all its leaders come together for a moment. He talks finally of those who possess the power and have that chance to end "turmoil under the heavens."

"The only reason for being in these positions is to leave something behind that makes life better. Power is so transitory."

PAUL CORBIN



PHASE IV

This Season's Game Plan: Semi-Tough

Mind-bendingly complicated and openly mocked, Phase IV, a product of necessity, was born last week. Even its authors have reservations about its chances for success. The latest wage-price control program in the Nixon Administration's 23-month alternately hot and cold war against high living costs is a temporary holding action. It is designed to stem the spread of food shortages while partially holding off the pent-up forces of inflation until they are weakened by waning demand (see box next page).

Though immeasurably better than flabby Phase III and slightly tougher in some ways than the relatively successful Phase II, the latest controls are by no means as stiff as the Administration had hinted they would be. They allow farmers to sell for whatever the market will bear; they continue earlier wage guidelines; and despite some tightening on profit margins, they will pinch most corporate earnings only slightly. Phase IV should slow the rising price spiral, but there is little chance it will lower inflation to acceptable levels this year.

For most industries the new rules will take hold on Aug. 12. Until then the price freeze will remain in effect. But food processors and food sellers, doctors, dentists and hospitals will immediately go under the more flexible Phase IV rules. Wholesale food prices began rising only hours after the announcement of Phase IV, which permits processors, wholesalers and retailers to pass on the entire increase in the cost of raw farm goods. Supermarket executives hastily called meetings to set price increases, which will begin to show up on shelves early this week. Some items

may jump as much as 15% or more.

In the next several weeks, already rebellious consumers will be asked to pay as much as 90¢ to \$1 per dozen for eggs, 80¢ per lb. for broiler chickens and \$2 per lb. for pork chops and bacon. Lettuce, tomatoes, fresh fruit and other perishables will rise immediately. Also likely to leap are prices for cereals, flour and other wheat and corn products, oils, many canned goods and frozen foods. When the freeze ends in August, prices of many other items will go up.

Beef Freeze. One major reason for the food price rises is that spiraling costs of animal feed, caused largely by unbridled grain exports, especially to Russia, have prompted farmers to raise less livestock than they had planned. The price freeze resulted in even lower production of hogs and chickens. Phase IV regulations, which will keep beef prices frozen until Sept. 12, will further hold down beef production. Explains Bill Jones, executive vice president of the National Livestock Feeders Association: "This blunder is likely to jeopardize supplies because feeders will hold their cattle off the market until after Sept. 12 to get a better price."

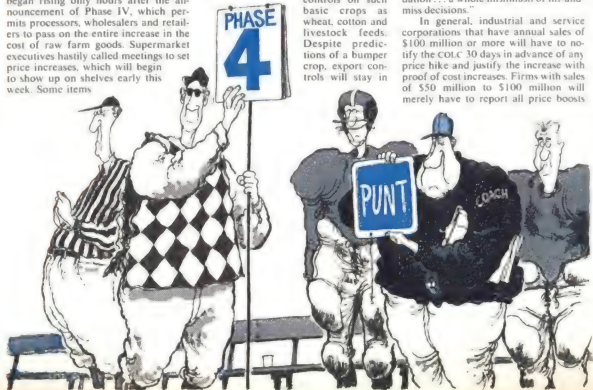
To pile up supplies and bring down prices over the longer term, the Administration will remove, for the first time since the Korean War, all production controls on such basic crops as wheat, cotton and livestock feeds. Despite predictions of a bumper crop, export controls will stay in

place until the fall to prevent a rush by foreigners to buy U.S. farm goods at bargain prices with undervalued American dollars.

For sheer complexity, Phase IV exceeds all the former controls programs. Some areas of the economy—such as the lumber industry, public utilities and real estate—will be exempt from price controls. There will be separate sets of regulations for construction and insurance. The program proposes a two-price system for crude oil aimed at keeping prices down while creating incentives for greater output. Prices for "old" production—the amount of oil a company produces equal to its output in 1972—would be held to May 15 levels. "New" production, i.e., any amount over the 1972 volume, will avoid the May ceiling.

Piling confusion on top of complexity, Cost of Living Council Director John Dunlop confirmed that many more price exceptions would be granted to companies under Phase IV than were granted previously because it is more "stringent." To try to enforce the rules, the council will have a staff of at least 5,000—1,200 more than in Phase II—to curb abuses. Phase IV's convoluted design prompted Georgia's Democratic Governor Jimmy Carter to label it a "continuation of Nixon's slapstick approach to a highly complicated situation... a whole mishmash of hit-and-miss decisions."

In general, industrial and service corporations that have annual sales of \$100 million or more will have to notify the COLC 30 days in advance of any price hike and justify the increase with proof of cost increases. Firms with sales of \$50 million to \$100 million will merely have to report all price boosts



to the Government quarterly, and companies with less than \$50 million must file annual reports. Companies will be allowed to pass on to their customers all the increased costs of material, labor and overhead. But they will not be permitted to raise their prices by still an additional amount to maintain the same profit margin. Thus corporations will not be badly pinched by the controls, but prices will continue to rise. The "flexible" guidelines on wages are unchanged; nominally they limit pay and benefit increases to 6.2%, but increases of more than 7% have gone unchallenged.

Lost illusions. The new program generated little enthusiasm among most businessmen or consumers, who are growing increasingly restive with controls that do not work. "The best of all phases would have been a phase-out of controls," argues Walter Wriston, chairman of Manhattan's First National City Bank. United Brands President Eli Black believes Phase IV is "a step in the right direction," but he would like all controls dismantled within the next six to nine months. Says Brooks Walker Jr., chairman of San Francisco's U.S. Leasing International: "At least it proves that they are alive, if not well, in Washington."

In the past, the start of a new anti-inflation program was usually the signal for an outpouring of optimistic predictions by the Administration's economic policymakers. This time the mood was subdued. Announcing Phase



SHULTZ EXPLAINING CONTROLS
No quick or easy way.

IV, Treasury Secretary George Shultz noted that the inaccurate forecasting in the past "leaves you a little humble." More remarkable was the rare admission of failure that President Nixon issued from his hospital bed. Nixon conceded: "Confidence in our management of our fiscal affairs is low, at home and abroad." As to the freeze, which the President imposed against the advice of his aides, he said: "The freeze is holding down production and creating shortages that threaten to get worse." In a feeble echo of his former self, Nixon

concluded: "We should not despair of our plight."

The President's real hopes for straightening out the economy rest with sensible spending, taxing and monetary policies. The root of inflation can be found in the \$63 billion of deficits the Government has run in the past three years. To finance them, the Federal Reserve Board has had to create substantial amounts of new money. In fiscal 1973, the President managed to hold spending below \$249 billion and cut the deficit to \$17 billion, from the previous year's \$23 billion. In the current fiscal year, Nixon aims for a balanced budget, which will mean holding spending to \$268.7 billion. That will require cuts in some programs, but pocketbook-pinch Americans will at least be spared a tax increase. The Administration decided against including a tax rise in Phase IV, fearing that it would be "fiscal overkill" that could tip the economy into recession.

Nixon and his chief economic aides have made no secret of their distaste for price controls and their deep desire to chuck them by year's end. But to make Phase IV succeed, the Administration must show a genuine determination to enforce the new regulations. Thus the instant emphasis on granting price exceptions and removing controls as soon as possible bodes ill for the program's success. With the Administration showing so little faith in Phase IV, it can hardly expect the rest of the nation to have confidence that it will work.

A Little Less Shine on the Quarter

All of a sudden, the big question for Washington's economic policymakers is not how to slow down a runaway boom, but whether the boom has already run out of gas. Demand is tapering off even more rapidly than the policymakers think is necessary to quell inflation. Second-quarter figures, released last week, show the following:

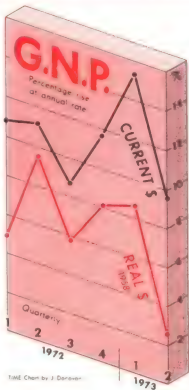
Growth is slackening. After subtracting the effects of inflation, the real rate of growth in the gross national product was only 2.6%—down steeply from more than 8% in each of the two preceding quarters. The 2.6% figure was the lowest since the final quarter of 1970, when the economy was in recession. Herbert Stein, chairman of the President's Council of Economic Advisors, simply does not believe his eyes: "I am sure there was more real growth in the second quarter than was reported," he told TIME Correspondent John Berry. "I don't see any indication of a recession. We are not having the big expansion in inventories that usually precedes a recession."

Consumers are more cautious about spending. Retail sales, which spurred at an annual rate of 23% in the first quarter, slowed notably during the second

quarter. Purchases of durable goods like furniture and appliances declined slightly. Says Robert Berry, president of San Francisco-based Joseph Magnin specialty stores: "The tempo of retail sales was stronger earlier in the year. There is a feeling of restlessness and of so many uncertainties now."

Housing starts are down. They declined by 12% from May to June to a seasonally adjusted annual rate of 2,119,000 houses and apartments. Michael Sumichrast, chief economist for the National Association of Homebuilders, offers one obvious reason: "Mortgage money has dried up."

Corporate profits are strong. Alan Greenspan, a member of TIME's Board of Economists, calculates that second-quarter profits are running 34% ahead of last year—up from the first quarter's 28%. Particularly vigorous second-quarter profits were reported last week by companies in the textile, lumber, oil and chemical industries. The complicated cost-pass-through provisions of Phase IV are expected to crimp profits somewhat, and Greenspan expects the annual rate of increase to decline by year's end to 20%—which would still be robust.



TIME Chart by J. Danovari



JAPAN AIR LINES JUMBO 747 OF THE TYPE COMMANDEERED BY GUERRILLAS

THE WORLD

TERRORISM

The Skyjackers Strike Again

Air Traffic Controller Jan de Haas stared grimly at his radar screen in the tower at Amsterdam's Schiphol Airport: something was terribly wrong with Japan Air Lines Flight 404, which had just taken off for Anchorage en route to Tokyo. Alerted by a secret coded signal from the 747's pilot, De Haas was sure that a skyjacking was in progress.

Then came confirmation: "Amsterdam Control, we are in full command of Flight 404. I am El Kassab. From now on, the following call sign should be used: Mount Carmel. We are the occupying forces of the Palestinian Liberation Movement. We are fighting for our sons and brothers in the prisons of the fascist state of Israel. Is that clear to you, Amsterdam Control?" Replied De Haas very calmly: "Roger, Mount Carmel, Roger."

With those words, the first Palestinian skyjack of 1973 was under way. The jumbo jet's 123 passengers—all but nine of them Japanese—and 22 crew members were the captives of a Palestinian team that evidently included both Palestinians and members of the fanatical Japanese leftist group called Rengo Sekigun (Red Army), which last year staged a massacre at Tel Aviv's Lod Airport that cost 26 lives. Astonishingly, Amsterdam airport authorities had been tipped off beforehand by the Israeli secret service that a skyjacking attempt might be imminent, but they took no special precautions. "We do spot checks sometimes," said an airport policeman, "but not on these northbound flights."

Aboard the big jet, terror struck swiftly. As the guerrillas prepared to take control of the plane, a grenade exploded in the hand of a woman member of the gang. She died in the blast. JAL Chief Purser Nobuhisa Miyashita, 37, busy serving champagne to passen-

gers, was wounded. As the jet streaked south and east over The Netherlands, West Germany, Switzerland and Italy, the high-pitched, Arabic-accented voice of El Kassab (a pseudonym) came on the air again and again, sometimes describing the terrorists as belonging to the Japanese Red Army, sometimes as Palestinian commandos. (In Beirut, spokesmen for the Palestinian guerrilla organization Al-Fatah denied that its members were involved.)

No Progress. As the plane neared the Middle East, new problems began to appear. After Beirut and Damascus airports refused landing permission (probably in fear of later Israeli reprisals), the 747 flew on to the Iraqi city of Basra, near the head of the Persian Gulf. The terrorists might well have received a warm reception at the hands of the Israeli-hating Iraqis, but Basra's airport was too small to allow the jumbo jet to land. The plane landed at Dubai, one of seven tiny states that make up the United Arab Emirates, at the mouth of the Persian Gulf. Dubai's



CONVICTED KILLER OKAMOTO

airport, a handsome, recently built concoction of glass and concrete, is the newest and largest in the area.

Almost immediately, police and soldiers cordoned off the plane in the airport's cargo area. The terrorists allowed the wounded purser off the plane for medical treatment; the body of their dead companion was also unloaded. Then the terrorists issued their first demand: "250 sandwiches and ice."

Talks were begun by Emirate Defense Minister Sheikh Mohammed Bin Rashid, who was allowed on board the plane, but no progress was reported. Meanwhile, the terrorists warned that they would blow up the plane if any rescue attempt was made. They refused a request that women and children be allowed to disembark.

Airport officials worried that the small auxiliary generator hooked up to the plane might not be powerful enough to run its air-conditioning system properly—and temperatures under Dubai's hot sun rose as high as 102° during the first day of captivity. Said a police of-



ROUTE OF KIDNAPED JET

ficer: "They must really be cooking out there now." Another problem was sanitation: when Palestinians in September 1970 forced three foreign jets to land in the Jordanian desert (and eventually blew them up), a major complaint by the hostages was the overflowing toilets on board.

At week's end, there was still no clear word from the terrorists about their aims, except a demand for the release of Kozo Okamoto, the only survivor of the three-man Japanese murder team that carried out last year's massacre at Lod. His two companions were killed; Okamoto was captured and sentenced to life imprisonment by an Israeli court. (At the time, a columnist for the Israeli newspaper *Ha'aretz* made a disturbingly prophetic argument for executing Okamoto: "As long as the Japanese murderer is in Israeli hands, he becomes an operational objective, an invitation for murder and extortion against Israel and its citizens." In light of Israel's long-established practice of not yielding to black mail, Okamoto's release was unlikely. At one point during the 747's long flight, Israeli controllers indirectly passed a warning to the pilot that the aircraft would be shot down if it invaded Israeli airspace.

In Tokyo, Japanese were once again caught up in the mood of mingled shame and rage that appeared after the Lod catastrophe. Said shocked Prime Minister Kakuei Tanaka: "This is terrible. The government will do all in its power to assure the safety of the passengers." At Tokyo International Airport, worried relatives waited for news. But as the week ended, from the 747 sweltering in the sun at Dubai came word only that the terrorists were "waiting for instructions." From whom? No one knew.

MIDDLE EAST

Cavalcade to Cairo

It was one of the strangest marches since the Children's Crusade. More than 30,000 Libyans, waving banners and chanting slogans urging a merger of Libya and Egypt, last week poured over the border en route to Cairo. Some were on foot, others in buses and cars; the column was six miles long. "We insist on going to Cairo," a spokesman said. "We have strict instructions from the People's Revolutionary Committee to stop only in Cairo." Egyptian officials attempted to stop the march—to no immediate avail. At the border, the Libyans destroyed benches and tables in the customs building, calling their vandalism "a symbolic action to remove the artificial boundaries between our two countries." They then bypassed a sizable roadblock at Mersa Matruh and ignored orders to halt.

Behind the determination of the marchers lay the shaken hopes of Libyan Leader Colonel Muammar Gad-



LIBYANS OFF TO CAIRO WITH BANNER PROCLAIMING "UNITY IS INEVITABLE"

dafi, who demands a Libya-Egypt merger in the cause of Arab unity. Until a few weeks ago, Gaddafi saw himself assuming the late Gamal Abdel Nasser's mantle as the leader in the Arab fight against Israel. But Egyptian misgivings about the plan hardened during the Koran-thumping Gaddafi's bizarre visit to Cairo (TIME, July 23). Angered by the Egyptian wariness toward unity, Gaddafi returned home to Tripoli. Two weeks later, the marchers set off on a 1,500-mile trek, vowing to stage a sit-in in Cairo's Republic Square until Egyptian President Anwar Sadat ended all opposition to the merger.

Sadat showed no enthusiasm for immediate merger with his fanatical neighbor. He sent a message to Gaddafi urging that he call the marchers off. Gaddafi's response could hardly have been more startling—or confusing. He cabled Sadat saying that he had resigned as of July 11 as chairman of Libya's ruling Revolutionary Command Council—in effect disclaiming all responsibility for the marchers. His action did not necessarily mean Gaddafi was out as Libya's ruler, since he has offered his resignation several times in the past, but the council has refused to let him quit.

The Egyptian president reacted quickly. According to one account, Egyptian officials rolled a train across the highway at a crossing about 400 miles west of Cairo. There, the march ended. Libyans began flowing back toward their border, while a token delegation reportedly was being flown to Cairo to press their cause. With the merger scheduled to take place in just six weeks, Gaddafi's next move was anybody's guess.

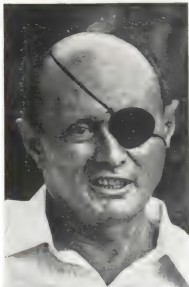
ISRAEL

Waiting in the Wings

With Israeli Prime Minister Golda Meir running for a second full term this fall, the bruising battle for succession between Defense Minister Moshe Dayan and Finance Minister Pinhas Sapir has been postponed. As far as Dayan is concerned, it is just as well; he probably would have lost. Still, at 58, Dayan has relinquished none of the brash assertiveness that earned him a reputation as the Young Turk of the Labor Party. He is still the most popular man in Israel, although his hawkish views and proclivity for shooting from the hip in public statements make it a long shot that he will ever become Prime Minister. Politics aside, his present position gives him virtual rule over the territories captured in the 1967 Arab-Israeli war. Married for the second time last month to Rahel Korem, 47, Dayan keeps up a furious schedule visiting the occupied territories—a fact that gives him considerable visibility and influence in the government.

TIME Diplomatic Editor Jerrold Schecter visited Dayan at his home in Tel Aviv for one of his infrequent interviews. "Dayan exudes the air of a man of destiny waiting in the wings," cabled Schecter. "When I arrived, he was just washing his hands after working on a reconstruction of a 3500 B.C. tomb figure. Framed by the archaeological finds in his garden, he took a long look at the Middle East. The next ten years he predicted, will see the borders frozen along present lines—but there will not be a major war."

As a military man, Dayan's main concern in reaching a long-term settle-



DEFENSE MINISTER DAYAN
Palestine is finished.

ment with the Arabs is that Israel remains militarily superior. His view of an acceptable border settlement is not new and coincides essentially with that put forth by Mrs. Meir: he feels that Israel must stay in the Golan Heights to protect its border with Syria, but he would be willing to withdraw from all areas essential to Egypt for its "daily life and security"—the Suez Canal and the Suez Gulf. "Sharm el Sheikh," he added, "is not essential in any way for Egypt. We should stay there. Sinai should be divided by one line or another. We would control the straits to Elath but not to Port Said. One day Egypt will have a leadership that will be ready to start negotiating."

Other points from the interview

PALESTINE: There is no more Palestine. Finished. I should have said I'm sorry, but I'm not sorry. There are Palestinians, and there was a country named Palestine. That Palestine was divided between Israel and Jordan, so there are Palestinian people but there is not any Palestinian state. The country called Palestine vanished in 1948. Palestine should be a part of the state of Jordan. Call it the Palestine zone in the Federation of Jordan, call it what you like, but not an independent state.

THE WEST BANK: For a while I do not see any line dividing the West Bank. We Israelis have two interests on the West Bank: first, the right to settle everywhere and to buy land. We do not have to expel the Arabs, but if they want to sell a piece of land and a Jew wants to buy, why shouldn't he have the right to do so. [Because the status of the occupied territories is still unsettled, the Israeli government has forbidden Jews to buy land on the West Bank.] The other interest is security. We have no ambition to be the rulers of the Moslem Arabs, but it is a different thing to have

the right of Jews to live in this area, near them, with them and by them. For a while what I see on the West Bank is not a dividing line between two states but a kind of arrangement of two different peoples living in one area. The Arabs are citizens of Jordan, and the Israelis are a part of Israel.

SOVIET JEWS: As far as I know, we did not see any positive results from the Brezhnev meeting in Washington for Jewish emigration from Russia. Perhaps something will come, but for the time being I do not see any improvements. The Jews in America will have to be the party to take care of it. It's not an Israeli question.

THE UNITED NATIONS: Nobody has faith in the United Nations. First of all, because it has no power and its composition is absolutely against us. It can never have any positive decisions for us, so how can we rely on it? It is powerless and it's against us. All those Communist countries and Arab countries and African countries. It is the worst place for us to go and put our case.

THE SUPERPOWERS: I think the most important thing is the arms we got from the Americans. Because we are strong, then the problem for the Russians is how to deal with us without getting much more deeply involved militarily. Had we not been militarily strong, we would not have been able to oppose all kinds of pressure, and the Egyptians would have tried exerting military pressure on us. We can even allow ourselves to disagree with our friends.

THE ENERGY CRISIS: We will have to undergo an unpleasant period now because the Arabs have oil. I think America is strong and wise enough not to be dictated to just because of oil from the Arab countries.

ON DAYAN'S OWN FUTURE: I'm more clear about what to do with the terrorists than what to do with myself. It's simpler to know what to do with [Palestinian Leader Yasser] Arafat than what to do with Moshe Dayan.

SOUTH KOREA

The Delight of Peace

Neither bells pealed nor parades formed when the Korean War armistice was signed in an austere barrack room at Panmunjom—and for good reason. South Koreans had scant cause to rejoice. Three years of war had left more than 500,000 Southerners dead and millions without homes; more than \$3 billion in damage had been inflicted on the South, and its capital, Seoul, had changed hands four times, leaving it a jumbled pile of rubble. This week, 20 years after the signing of the armistice, South Koreans had many things to celebrate. U.S. Secretary of State William Rogers, on a three-day visit to Seoul last week, put his finger on it when he told his hosts that "the accomplishments you have achieved are something that all of us can be proud of."

Two decades of hard work have transformed the nation of 32 million into one of Asia's most rapidly advancing industrial societies. In Seoul, now bursting with more than 6,000,000 inhabitants, buildings rising to 30 stories have replaced the one- and two-story shops in the downtown district. Construction on the country's first subway nears completion. New hotels and proliferating offices of foreign firms have begun to give the capital a cosmopolitan accent. Thousands of nightclubs, cabarets, beer halls and bars prosper, as do the traditional *kyueng* houses where hostesses entertain tired businessmen.

TIME Correspondent Herman Nickel, who visited Seoul last week, reports that people are well dressed and well fed, the shops bursting with goods of every description. In the past twelve years, the annual G.N.P. has soared from \$95 to \$300 per capita. Even in the poorer sections of the capital, such as the squalid shacks which cling precariously to steep hillsides, electric lights, radios and fans are common. A

KOREAN CHILDREN PLAYING IN THE RUINS OF SEOUL (1950)



middle class of small entrepreneurs and professionals has emerged.

The trauma of the war, followed by the impact of Western technology, has eroded much of the traditional Korean family life, especially in the cities. Custom had compelled all family members to live together in one house, but the young generation today wants to move out. Kim In Ho, a 22-year-old college graduate living in Seoul, proclaims: "None of us would like to stick to the old fashions of the Hermit Kingdom"—referring to the nickname Korea acquired in past centuries when it deliberately sealed itself off from outside influences. Traditional weddings and funerals, which are costly affairs, have been simplified. Clothes have become increasingly Western and faddish.

Vietnam Profit. South Korea's "economic miracle" was stoked by massive U.S. aid. Since the armistice, the U.S. has poured \$4.5 billion of direct nonmilitary aid into the country, plus hundreds of millions of dollars generated by the 43,000 American forces stationed there. Just as Japan reaped the

reconstruction sets and tape recorders. In fact, most of Japan's Sony black and white TV sets are now actually manufactured in Korea.

The current five-year plan calls for construction of shipyards on the southern coast, which are intended to make South Korea the world's second or third biggest shipbuilder by the early 1980s. It is already building two 260,000-ton freighters for Greek customers and has back orders totaling \$262 million.

This rapid industrialization has had its hazards. Industry has been favored at the expense of agriculture. Even though the land reform in 1950 created a broad-based, independent peasant proprietorship for the first time in Korean history (North or South), the farmer has not shared equally in the boom. As a result, South Korea, which once exported rice, must now import it.

Politically, South Korea has turned into a dictatorship—and a tough-fisted one at that. Since November 1971, Park has systematically tightened his authoritarian control over the country, rewriting the constitution and emas-

SOUTHEAST ASIA

Victory Over Opium

As the fighting gradually fades in Indochina, Southeast Asia's other war intensifies. Up in the cool highlands of the Golden Triangle where the borders of Burma, Laos and Thailand meet, fighting rages for control of the area's 700-ton illicit opium crop—a full two-thirds of the world's output. A major participant in that war fell last week when Thai agents, advised by U.S. narcotics agents, captured Lo Hsing-han, long suspected of being Southeast Asia's largest and most powerful heroin tycoon. In a rare display of cooperation, Burmese armed forces, which at one time winked at Lo's operations, attacked Lo and men from his private army, forcing them across the border into Thailand and into the hands of the Thai Special Narcotics Organization.

The capture of Lo is the most impressive victory to date in a campaign launched by the U.S. to clean up the Golden Triangle. For centuries the region's residents had consumed most of its flourishing opium crop, although some was always set aside for export. After 1970, with Turkish production of the narcotic curtailed by U.S. pressure, the major dealers in the Triangle began large-scale exports. They had discovered that they could reap huge profits by selling their heroin—which they refine from the morphine derivative of raw opium—to the burgeoning markets among the G.I.s in Viet Nam and elsewhere in the West. One kilo of pure heroin—which sells for \$300 at the Burma-Thai border—is worth at least \$3,000 in Saigon, \$10,000 in Marseille and \$50,000 in New York City.

To stem the exports, the U.S. dispatched agents to Thailand, where by 1970 they established an undercover network. There in the north, U.S. and Thai agents set up observation posts on all the main roads leading south from the tri-border area. Thanks to their reports, Thai police, to date, have been able to seize over 20 tons of opium.

No Win Switch. The impact of these efforts, however, remained limited without the help of Burma. For more than a decade, Burmese Strongman Ne Win had permitted one of Burma's militias, the Ka Kwe Ye (K.K.Y.), to engage in the opium trade as a reward for its support of his campaign against Communist guerrillas. With this franchise, the K.K.Y. and its most important leader, Lo Hsing-han, openly carried opium along Burmese roads. Early this year Ne Win abruptly switched policy. Worried about growing drug addiction among Burmese youth and realizing that he would have no chance of receiving aid from the U.S. unless he cooperated, he ordered Lo to get out of the opium trade.

Lo refused. The ruthless, 38-year-old Chinese warlord had with his private army of as many as 5,000 men lit-



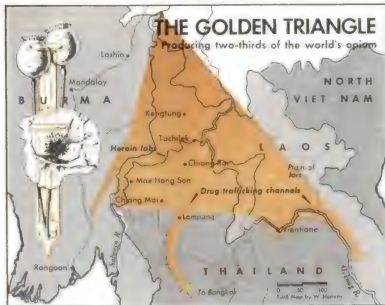
NEW BUILDINGS IN SOUTH KOREA'S RESULT CAPITAL

economic spin-off from the Korean War, so South Korea found itself profiting from the war in Viet Nam, where it stationed 30,000 marines and received at least \$150 million annually in U.S. payments for its troops.

The country's booming economy, however, owes its greatest debt to its own hard-working, low-paid, literate and highly qualified labor force. Under a series of five-year economic programs initiated by President Chung Hee Park in 1961, Korea has imitated Japan's post-World War II climb to prosperity by deliberately moving from comparatively simple industries into increasingly complex ones. Park built up power plants and a transportation infrastructure, then pushed export industries which took advantage of his country's low cost of labor. Soon electronics boomed, and South Korea today exports phonographs, FM radios, televi-

lating the National Assembly. Today no factions of the populace dare defy him. Park insists that he needs greater power in order to orchestrate the delicate contacts he initiated with North Korea. One set of meetings, under the aegis of the Red Cross, aims at reunifying those Korean families separated by the divided country. A second team of negotiators discuss the possibilities of unifying the two nations. So far neither set of negotiations has made real progress.

Though South Koreans chafe at their lack of freedom, many clearly approve of Park's economic policies. One highly informed South Korean observed: "A lot of people may not like the way Park has grabbed power, but so long as the economy keeps going as it is, he is not going to be in trouble." Two decades after the war, South Koreans still savor the delights of peace.



erally taken over the Burmese border town of Tachilek (pop. 10,000). There he had eight heroin factories and extensive warehousing facilities for independent operators. One narcotics agent who has studied Lo carefully told TIME's Peter Simms: "You could take your opium to Lo and get a warehouse receipt that was as good in Tachilek as a First National City Bank draft is in New York. His chemists would analyze your opium, tell you the cost and give you an exact delivery date after processing. Anything you stored in his warehouse would never be stolen or confiscated by Burmese authorities."

As of last week, Lo was in a Thai prison, his factories and warehouses were leveled and at least 14 tons of his opium had been blown up by the Burmese. Now the war against the opium traffickers will focus more on Thailand. There, remnants of Chiang Kai-shek's Kuomintang army, swelled by local recruits, have plied the opium trade ever since they gave up trying to harass the Chinese Communists 25 years ago. Last year, Bangkok and the U.S. paid the Kuomintang's two most powerful leaders, General Li Wen-huan and General Tuan Shi-wen, nearly \$2,000,000 to get out of the opium traffic. Thai authorities believe that they have not yet ceased their trading. They will be the next targets of the crackdown.

Even the destruction of Li and Tuan's operations will not stop the supply of opium from the Triangle. Dozens of smaller traders wait to step in when big operators disappear. The Triangle's climate and altitude are perfect for the poppy—the cultivation of which provides thousands of villagers with a livelihood. One seasoned opium trader remarked: "In this business, there are not only millions of dollars at stake but thousands of people who have a vested interest in the system. You might as well try to plug up a sieve."

AFGHANISTAN

Coup at the Crossroads

After 40 years as monarch of Afghanistan, King Mohammed Zahir Shah, 58, presumably thought it safe to take a holiday in Italy to soak up some sun and get treatment for a troublesome eye condition. That, as it turned out last week, was a royal mistake. While the King was bathing his eyes with mud and mineral water at a thermal spa on the isle of Ischia off Naples, his kingdom was peremptorily converted into a republic. Leading the coup was his cousin and brother-in-law, ex-Prime Minister Sardar Mohammed Daoud Khan.

Although there had been growing discontent over government inertia and corruption in recent months, the takeover came as a surprise to most in Kabul. The coup was launched during the night. Army units moved through the capital and surrounded the palace, the airport and other key buildings. According to reliable reports, several officers loyal to the King were executed.

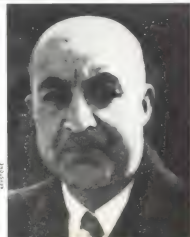
Early on the morning after the coup, French-educated General Daoud, 65,

went on Radio Kabul and announced that he had acted to end the King's "despotic regime" and replace it with a "genuine democracy." He charged that the government had been corrupt and ineffective, and had been corrupting "toward total bankruptcy." The depth of Daoud's commitment to democracy may be open to question, since he staged his takeover at a time when the King was about to sign a bill permitting formation of political parties. That would have been at least one step forward in Afghanistan's painfully slow transition from a feudal monarchy to a modern state.

Under the present constitution, promulgated in 1964, Daoud, as a member of the royal family (he is a prince), is forbidden to hold public office. Last week he announced that he would reserve for himself the posts of President, Prime Minister, Defense and Foreign Minister. He will need to muster all the support he can to solve Afghanistan's many problems, which include a three-year drought that has claimed more than 20,000 lives. The country is noted for its harsh landscape (barren deserts interspersed with rugged mountains), wretched poverty (per capita annual income is \$88), and widespread disease (half of all children die before the age of five). Kabul is also something of a hash haven for hippies from the U.S. and Europe. Narcotics are sold openly.

Daoud, during his tenure as Prime Minister, between 1953 and 1963, cleverly exploited Afghanistan's strategic location (with access to the Khyber Pass and common borders with Iran, Pakistan, China and Russia) to get the U.S. and the Soviet Union to compete with each other in giving aid. "I feel happiest when I can light my American cigarette with a Russian match," he once joked. But Moscow's nearly \$1.5 billion in military and economic aid over the past 20 years far outdistanced Washington's \$500 million, and inevitably the flame of the match grew a little warmer than the glow of the cigarette. The Soviet Union and India became the first countries to recognize the new government last week. In Washington, the State Department said that it had recognition under consideration.

KING MOHAMMED ZAHIR SHAH & GENERAL SARDAR MOHAMMED DAUD KHAN





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YOUNG GETTY & GERMAN TWINS POSING IN ROME

ITALY

Following the Plot

"Dear Mother: I have fallen into the hands of kidnapers. Don't let me be killed! Make sure that the police do not interfere. You must absolutely not take this as a joke... Don't give publicity to my kidnaping." In most respects, the disappearance of a 16-year-old American living in Rome was little different from the dozens of other kidnapings that have plagued Italy in the past two years. This time, however, the boy's name was Eugene Paul Getty II, the grandson of perhaps the richest man in the world.

Rome police were at first highly skeptical that young Getty had been kidnaped at all. Independent and partial to hippies, Getty rarely even slept in the apartment of his mother, former Actress Gail Getty Jeffries, 39, who divorced the boy's father, Eugene Paul Getty, and has since been remarried and separated. Instead, he would find a bed in the apartment of an artist friend or, more recently, in the flat of two 24-year-old German twins, Martine Zacher and Jutta Zacher Winkelmann.

Some of his friends reported that he was habitually short of cash. Though other friends denied it, the story interested suspicious Roman police when they learned that he had even joked about solving his financial problems by arranging his own "perfect kidnaping," which police noted was curiously similar in plot to the one in the movie *Travels with My Aunt*, currently playing in Rome. The night he disappeared he was seen having an argument with a blonde Belgian go-go dancer in the Piazza Navona, where hippies gather. She resisted his passes and he stormed away, yelling back an Italian obscenity.

Much of the police skepticism vanished when the boy's mother received his letter and two phone calls, apparently from one of the kidnapers. "At first I thought it might be a stupid joke," she said, "but then I understood it was serious." To prove that the kidnaping was not a hoax, the caller said he would

send the mother one of her son's fingers. Grandfather Getty, meanwhile, said that he would not pay a ransom. Although he sees his grandson infrequently and is not particularly close to him, Getty said he loves him nonetheless. Yet love, in Getty's view, takes second place to principle. "I'm against paying any money," he said. "It only encourages kidnapers." Afraid that such reports would anger the kidnapers, the mother told reporters that she would indeed be willing to negotiate a price for her son's return. At week's end she was awaiting further word.

MOZAMBIQUE

Mystery Massacre

Not since the My Lai atrocities came to light in 1969 had a tiny village caused such an uproar. Father Adrian Hastings, a British Catholic priest, alleged that Portuguese government troops had gone on a murderous rampage in the Portuguese Mozambique village of Wiriyamu last Dec. 16. The priest, quoting reports from Spanish missionary priests, claimed that Portuguese soldiers killed some 400 villagers suspected of sympathizing with Frelimo, the Mozambique Liberation Front.

Then began the denials. Dr. Marcello Caetano, the Portuguese Prime Minister, who was on an official visit to London, said that his government's preliminary inquiry showed a massacre of 400 villagers "could not have taken place." A Catholic bishop in Mozambique who in published reports claimed that he had seen the dead bodies later stubbornly declined either to confirm or deny that there had been a massacre. In Lisbon, officials insisted that Wiriyamu did not even exist. Indeed, Father Hastings two weeks ago placed it in western central Mozambique, but next day corrected himself, saying it was in the eastern Tete province. Reporters have been searching for it ever since, and for anyone who claims to have seen the massacre. TIME Correspondent Peter Hawthorne joined a trek last week

THE WORLD

and afterward sent this report:

The town of Tete bristles with troops, military roadblocks and armored vehicles. People are being moved out of isolated villages and relocated in protected settlements called *aldeamentos*, where troops and home-guard units keep Frelimo infiltrators at bay.

A 30-man army escort took us to a place called Wiliamo, about eight miles from Tete. The guide was a black army private who said he knew of the village. He pronounced it "Wiriyamu"—many Africans pronounce "t" as "r"—but wrote it "Wiliamo." It was the only place of that name that he knew in the region, he said. Of course there are villages with vaguely similar names all over the areas variously mentioned by Father Hastings, and presumably any of them could be the massacre site.

The village, perhaps ten to fifteen huts, had clearly been abandoned in a hurry. But there was no obvious sign of a firefight—no bullet marks in the tree stumps or huts. It would require nothing less than a team of forensic experts to track down any evidence of a massacre.

No Angels. "My men aren't angels or they wouldn't be good soldiers," said Major José Carvalho, who led the army escort. "But a massacre of 400? During my two years service here I've never heard of such an incident, and if I did it would be the reason for a large-scale military inquiry."

Two priests of the Spanish Burgos Fathers who earlier supported allegations of the massacre have been detained by Portuguese authorities in Lourenço Marques on unspecified charges "relating to the security of the state." Their fellow priests at the Mission of São Pedro, near Tete, will say nothing. Some Portuguese here believe it is quite possible that a massacre did occur. The secretary of the Bishop of Tete, Father Manuel Moura, told me: "In a climate of war anything is possible—but between the possible and the real, there may be a big difference."

SOLDIERS IN RUINS OF WILIAMO





HANK AARON FISHING



THE HOME RUN KING'S FIANCEE BILLYE



ILLINOIS SENATORS ADLAI STEVENSON III



ELVIS PRESLEY GETS TALKED ABOUT BY HIS EX-WIFE PRISCILLA



Lauren Hutton, 28, was sitting pretty. The omnipresent model had just signed a two-year, \$200,000 contract to be the face for Charles Revson's Ultima II beauty products (TIME, July 16). She was in Paris to pose for Richard Avedon in the fall collections for *Vogue*, and she was considering two film offers. What about the rumors that Revson objected to her being in suggestive scenes? "I wouldn't do something that's bad for my image. That wouldn't be smart now, would it?" Then Lauren added: "But Mr. Revson doesn't look to me like a man who objects to sex."

Atlanta Braves' Leftfielder Hank Aaron took time out to go fishing in Mobile, Ala., in the midst of a week during which he slugged his way closer to

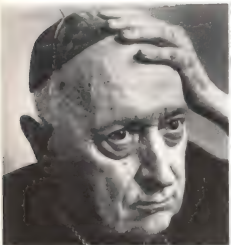
baseball's grandest alltime record: Babe Ruth's 714 home runs. As the suspense mounted, Aaron denied that pitchers were helping him out in his effort to break the record: "I don't even get balls down the middle in batting practice any more." Aaron, 39, said that even if he does hit No. 715 this year he will play next year. But the 1974 season will be his last. Meanwhile, Aaron plans to marry one of his home-town fans. Billye Williams, 36, a widow with a daughter, 6, met Aaron when she interviewed him for a local television show. Billye later became a regular booster behind the Braves' dugout and the couple have been secretly engaged since Easter

When they met, Elvis was 25, a sergeant stationed in Bad Nauheim, Germany, and she was 14, the daughter of an Air Force captain. Now, at 28, the former Mrs. Presley, Priscilla Ann Beaulieu, decided to break the silence that surrounded her strangely sequestered marriage with the multimillionaire singer. For four years of their seven-year courtship, Priscilla lived with Elvis' father and stepmother in Memphis, apparently being groomed for marriage. Elvis bought cars for her—"A little red Corvair, then a Chevrolet, a Toronado, an Eldorado and then the Mercedes"—and chauffeured her in a Lincoln Continental with its own bar (soft drinks only). But marriage was never mentioned, so Priscilla says in the August *Ladies' Home Journal*. Finally, in 1967, Elvis popped the question, even though, according to Priscilla, "we were perfectly content the way we were. At that time it wasn't nice for people to live together." They were married in May 1967, and Elvis filed for divorce last January. How has Priscilla

HUTTON POSES FOR AVEDON



• CHARLES PERCY PLAY BALL



MINDSZENTY VISITS LONDON

explained the divorce to her daughter Lisa Marie, 5? "She thinks Daddy is on a business trip, so it works out."

Illinois Senator **Charles Percy** was doing very well for himself in two of America's favorite pastimes. He was the only Republican who was running ahead of Senator **Ted Kennedy** in the latest Harris Poll on presidential hopefulness. And his baseball team, made up of staff members and "interns" (temporary aides), won out over the team of Illinois' other Senator, Democrat **Adlai Stevenson III**. Score: The Percy Kewshuns, 23; Ad's Libs, 17. Next for the Percy Kewshuns, the Ervin committee team

The man in scarlet robes, looking small and bent in the vast nave of London's Westminster Cathedral, was **Josef**

Cardinal Mindszenty, 81. For many of his fellow Hungarian exiles, the frail figure celebrating Mass for them remained an abiding symbol of the cold war. In 1949 Mindszenty was convicted of treason, espionage and black marketing by the Communist regime in Hungary. He spent seven years in solitary confinement, enjoyed four days of freedom during the uprising in 1956 and then, when the Russians returned, remained for 15 more years in seclusion in the U.S. embassy. Since 1971, the former Primate of Hungary has been living in a seminary in Vienna—continuing, as he wrote Pope Paul, to lead "a life of prayer and penitence" in exile

Down the steps of the private jetliner that had landed near Rome came the secretaries, a hairdresser and a pair of Pekingese dogs. Then **Elizabeth Taylor Burton** descended in order to rejoin her husband after their 17-day split. Elizabeth had nothing to say to the press as she got into a car to be driven to the black Rolls-Royce where **Richard Burton** was waiting. Both Burtons were wet-eyed as they embraced, then sped to **Sophia Loren's** clay-red villa, close by in the Alban Hills. Fans are advised to stand by for the next installment

"The house was a gutted ruin rising gaunt and stark out of a grove of unpruned cedar trees," wrote **William Faulkner** about the Old Frenchman place in his 1931 novel *Sanctuary*. He might well have been thinking of Rowan Oak, the 1840 mansion he bought in 1930 in Oxford, Miss. Last week the University of Mississippi purchased the refurbished mansion from Faulkner's only daughter for part of a new cultural center. The study wall, with its manuscript chapter outlines of a Faulkner novel, is already a tourist attraction

"He was a no-good son of a bitch," **George Jessel** said about **Singer Al Jolson**, who died in 1950, "but he was the greatest entertainer I've ever seen." According to a new biography by **Freelance Michael Freedland**, the greatest encore of Jolson's career was his tours for the U.S.O. during World War II. About to leave for Algiers, he got an urgent phone call from **Mamie Eisenhower**, who dictated a note to be delivered to her husband: "Dear Ike: Al will give you this note and give you a sweet kiss from me—and also a swift kick, because you haven't written for so long." Jolson delivered the message to **General Eisenhower**, commander in chief of the Allied Forces in North Africa. "Well," said Ike, "when you get back home, give Mrs. Eisenhower back that kiss. As for the other..." Ike bent over, lifted the flap of his jacket and told Jolson to carry out his wife's instructions

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SENATOR KENNEDY AT ISLANDS TRUST HEARING LAST WEEK



SNACK BAR ON MARTHA'S VINEYARD

ENVIRONMENT

Martha's Troubled Vineyard

Anne W. Simon, a slim and well-tanned divorcee who cares passionately about her view over the wild grapevines on the shore of Martha's Vineyard, returned home one day to find that someone had dumped a truckload of cigarette butts all over her front lawn. The truck had then been driven back and forth across the lawn, gouging deep ruts and tearing down a row of small pine trees and bushes.

That was not Mrs. Simon's only problem. She has received hate mail and threatening phone calls. One night she heard someone prowling around in her barn. "I became frightened, so I called the police," she recalls. "A nice officer searched my barn and concluded 'Aw,

they're just mad at you because of that book."

Mrs. Simon's new book is called *New Island Is an Island* (Doubleday, \$8.95), and it argues vehemently that the convulsive growth of recent years "will homogenize" the Vineyard, "grind its character to mediocrity, and make the place indistinguishable from the brutally overdeveloped mainland coast." The book shows that when developers turned toward the island at the beginning of this decade, the Vineyard was completely unprepared to hold them back: zoning laws were inadequate, the Vineyard's economy had become dependent on tourism or summer residents, and local governments had not thought to plan ahead. Many year-round Vineyard inhabitants, on the other hand, have been prospering through the boom, and strongly resent the idea of curbing it.

One powerful figure who agrees with Mrs. Simon the reviewed her book in the *New York Times* is Senator Edward M. Kennedy, who has drafted a controversial bill that would turn the Vineyard, plus neighboring Nantucket and the outlying Elizabeth Islands, into the Nantucket Sound Islands Trust. Kennedy's bill would divide the islands into three kinds of development zones: virtually untouchable "forever wild" areas, "scenic preservation" lands where building would be strongly controlled and less severely limited "town planned" regions. All would be administered by a trust under federal supervision.

When he filed his bill last year, Kennedy promised to modify the measure on the basis of reactions from the 12,000 permanent and 33,000 seasonal residents of the Nantucket Sound Islands. The reactions were bitterly divided. The Vineyard's permanent residents

did not want to relinquish home rule and 60% of them voted against the bill in a referendum last fall. Summer people, who pay property taxes but do not vote, would be given a share in administering the trust, and they generally favored the bill as the best way to preserve the island's natural qualities.

The argument reached a climax last week when the Senate Interior Subcommittee on Parks and Recreation traveled to the islands for hearings that drew nearly 2,000 people. Speaker after speaker in the Tisbury school's packed gymnasium protested "off-islanders' control over the Vineyard's future. Chilmack Selectman Herbert Hancock called the bill "a federal land grab attempt" that would make the island "forever worthless to all but the raccoons and conservationists." He added, "Home rule, though not perfect, is far better than puppet rule." Cried Chamber of Commerce President Robert Carroll: "The Senator's methods smack of Mussolini!"

Decision May. Kennedy has modified his bill three times to allow greater local participation in the national trust and to limit the volume of visitors to the island, but he says that "the town and county and state governments do not have the tools at their disposal to control in any meaningful way the development pressures." In this view, he has strong support from the island's resident celebrities. "You cannot be civilized about this and be anything but for the bill," said Novelist William Styron as he played host to Kennedy at a clam bake after the hearings. Among the other guests: Walter Cronkite, Jules Feiffer, Andre Previn and Mia Farrow.

A decisive pay came, however, from Massachusetts' junior Senator, Republican Edward Brooke, who owns a summer place on the Vineyard. He issued

ANNE SIMON AT HER VINEYARD HOME



a statement calling the Kennedy bill "too harsh a remedy" for the island's problems, and concluding that "I am not yet convinced that it is necessary for the Federal Government to intrude so pervasively in the lives of my fellow islanders." Brooke argued instead that state legislation now being drafted would permit "an island-wide authority to control and check growth."

With Senator Brooke's opposition, the trust plan seems headed for yet another revision, with little chance for passage this year. Kennedy can only hope the islanders will heed his warning at last week's hearing. "I come from a part of the state with more pizza parlors, hot dog stands and salt-water taffy than you can imagine," said Kennedy. "Anyone who believes that 14 miles of open sea can protect them from these problems has not seen what we have seen in Hyannis or in other parts of this country." Author Simon is even more emphatic: "What we do on Martha's Vineyard is of extreme national consequence. This island's fate transcends the island."

The Pipeline Lives

As its supporters see it, the trans-Alaskan pipeline would be a veritable lifeline, bringing the vast oil riches (10 billion barrels) of the North Slope to an energy-starved U.S. To its foes, the 789-mile pipe is a monster that could leak and pollute the Arctic wilderness.

For three years, various environmental groups have fought the project to a standstill in the courts. They have argued that the Interior Department's nine-volume, 3,000-page "environmental-impact statement" failed to examine all the possible effects on plants and wildlife; they have charged that the Administration did not explore sufficiently the possibilities of a trans-Canadian line, which would eliminate the dangers of oil spills from tankers plying between southern Alaska and the West Coast. They won their most remarkable victory when a federal appeals court last February stayed all construction plans because the right of way required by the pipeline was wider than the 54 ft. authorized by the Mineral Leasing Act of 1920.

The pipeline forces, which include both the Administration and the oil industry, were not to be stayed. They pushed through the Senate last week a bill that authorized the pipeline by removing the restrictions of the 1920 act and barring any further court action on the environmental statement. The vote on court action was a 49-49 tie, broken by Vice President Agnew, but the overall measure sailed through by 77-20. If the House agrees, construction on the 54 billion pipeline could begin within six months, and oil could start to flow south by 1977. But the environmentalists are nothing if not stubborn. They plan to lobby against similar action by the House—and, if necessary, go back to court to raise new challenges.

Around the Earth for 59 Days

The first Skylab astronauts proved beyond a doubt that man could live and work in zero-G for as long as 28 days. Now the space agency is about to double the challenge. This Saturday morning, Astronauts Alan Bean, Owen Garriott and Jack Lousma are scheduled to lift off from Cape Kennedy atop a Saturn IB rocket for the start of a bold new mission aboard the \$293 million space station—a record-breaking flight of 59 days that will be the most rigorous test yet of man's ability to withstand the physical and psychological strains of prolonged space travel.

The second Skylab mission was originally scheduled for 56 days, but at week's end NASA officials decided to extend the flight by three days. That will enable the astronauts to splash down closer to the California coast (300 nautical miles southwest of San Diego instead of the planned 1,000 miles) and reduce their long, wearying trip aboard the recovery carrier.

The launch itself will require unusual precision. If the astronauts are to rendezvous in their Apollo command ship with the 230-nautical-mile-high laboratory within the prescribed five revolutions of the earth, their lift-off cannot be delayed more than ten minutes. Otherwise, the blast-off will have to be postponed until the next day. But by then the launch "window" will have shrunk to a mere two minutes, and it will take the astronauts two more revolutions to reach the laboratory.

The initial Skylab team had to cope with the loss of part of the ship's shielding and with a major failure in its electrical system.* By contrast, the second team should find the lab in good working order. As the countdown began last week, the only potentially serious problem reported by mission controllers was a malfunction in an attitude-control gyroscope, the second to break down so far (seven of Skylab's complement of nine gyros in the triply-redundant sys-

tem are still working). The astronauts will carry up a replacement gyro. Already on board is a twin-pole awning. It is designed to replace the makeshift sunshade erected by the first crew to protect the orbital workshop's bare spot where it lost its thermal and meteoroid shielding.

Garriott and Lousma are slated to set up the new awning over the existing parasol during a space walk on the third day of the mission. If everything goes well, a second and third space walk will be undertaken later in the mission to collect and replace film mounted on the space station's solar telescope array.

Other equipment to be carried up to Skylab should help make life easier



ASTRONAUTS BEAN, GARRIOTT & LOUSMA
The most rigorous test yet.

for the astronauts during their long sojourn in space. The list includes razor blades, toothpaste and ketchup (to replace supplies ruined by the excess heat during the first mission), chest, leg and back exercisers to help maintain muscle tone, extra garbage bags, a new Polaroid SX-70 camera for instant pictures, a specimen-measuring device to replace the broken one in Skylab's toilet, and even a fresh supply of underwear. They will also take up some new biological experiments, including one that was suggested to NASA by a high school student that involves a pair of spiders named Anita and Arabella (purpose: to see whether they can spin their normal webs in conditions of weightlessness). Indeed, the Apollo command module will be so crammed with gear that on lift-off it will probably be within ounces of its maximum permissible weight of 13,500 lbs.

*NASA investigators concluded last week that the reason the shielding ripped free during launch and subsequently carried off one of the lab's solar panels and jammed another—was that air pressure built up under the thin, loosely fitting aluminum skin. That might have been avoided if openings at the aft end of the shield had been closed, the investigators said, but the different engineering and manufacturing teams involved in the project failed to consult with each other about the shield's potential shortcomings.

How Attorneys Judge The Ervin Hearings

"I will ask you as a lawyer if the experience of the English-speaking race has not demonstrated that the only reliable way in which the credibility of a witness can be tested is for that witness to be interrogated upon oath?"

—Sam Ervin

"That is correct."

—John Dean

If the public is intrigued by the televised Watergate hearings, lawyers are transfixed. Every week hundreds of them write to the committee, telling the Senators which questions they should

always a fiasco," Senators, he says, have no skills in cross-examination and "wouldn't be expected to have."

Those skills, while applied in widely different personal styles, are nonetheless quite specific. "Everybody misses the art of pursuit when a witness gives an unsatisfactory answer," says Alfred Julien, a former president of the American Trial Lawyers Association. For example, when John Mitchell claimed that G. Gordon Liddy's modified espionage plan had gone into effect without his knowledge, he should have been asked exactly when he did hear about the plan, from whom, and what he then did. In addition, questions should be short and precise, says Philadelphia's Sprague. The expansive senatorial style of exam-

Counsel Samuel Dash is credited with performing well, though not spectacularly. But Dash is restricted by the fact that the Senators want to dominate the process. In one lawyer's phrase, "he sets out the buffet from which the Senators feed." On the committee members, there is general agreement with Phoenix Lawyer John Frank's assessment: "Nobody can move in for the kill the way Ervin can. Of course, he's an old man and suffers from the problem of misspoken words, but no one has the terribly seasoned quality he has." Howard Baker, as Demanes puts it, "goes more to the motive of the witness." That often means "his questions are too esoteric to be called fact-finding questions." Demanes describes Lowell Weicker as "the kind of interrogator we call a barracuda—everyone waits for him to jump on the witness." But lawyers disagree on whether that makes him effective or a grandstander. There is little disagreement, however, with the view that Joseph Montoya is the least able of the questioners.

Great Trial? Many lawyers temper their criticisms with the observation that the Senators are not so much nailing down specific details of the truth as establishing its general outline. "My lawyerly instincts are turned off, and I often find the questioning unprofessional," says Columbia Law Professor Abraham Sofaer, a former U.S. prosecutor. "We'll just have to look to the trials to get the truth in the legal sense. But the Watergate committee serves another very important purpose—bringing out the facts for a public airing in a way that can sometimes lead to a broader sense of the truth than a trial ever could."

Stanford Law Professor Anthony Amsterdam reaches a similar conclusion: "If you think they are trying to find facts that will support new legislation—the legal theory on which the hearings are proceeding—then you would have to hold them to ordinary standards of cross-examination. And such questioning is often deadly dull. But if you take the view that the Senators are—and properly so—exploring and simultaneously exposing to the public the whole Watergate mess, then to ask rhetorical questions and argue points and use sarcastic tones is all effective. It is more like Perry Mason than a real trial, but it stimulates the American public to reflect on Watergate and makes them more and more aware of the problems that Watergate symbolizes."

Indeed by the very nature of a congressional hearing, the Senators are not really acting as trial lawyers at all—despite John Mitchell's complaint that "it is a great trial being conducted up here, isn't it?" Instead, they are inquirers, searchers and actors in a great political drama.



SENATORS BAKER, WEICKER & ERVIN WITH WATERGATE COMMITTEE AIDES' "Not nearly as tough as a good cross-examiner would be."

have asked, or just plain wishing for the professional pleasure of being able to do the interrogating in person. For trial lawyers in particular, it is impossible to avoid judging the interrogation process as well as the testimony it produces. Last week TIME correspondents asked a selection of courtroom and academic experts how well the Ervin committee is doing its task.

The answers depended on varying perceptions of what that task is. But there was considerable and perhaps surprising agreement on one major point: that the Senators—all of whom are attorneys—have been unduly soft, even inept, in their questioning, particularly in pursuing inconsistencies and in testing witnesses' credibility. Philadelphia Prosecutor Richard Sprague deems it a "pathetically poor performance." Washington Lawyer Paul Connolly agrees: "They've done poorly. They're not nearly as tough as a good cross-examiner would be." Connolly's partner, Edward Bennett Williams, remembers that "the history of these congressional committees is that they are

inaction, he adds, "affords each witness the opportunity to say whatever he wants to, without ever having the details of what he says explored."

The witnesses' answers can only be controlled by carefully drawn questions: What did he say? What did you say? "Don't accept and don't permit witnesses to give abstractions," says Professor Irvin Rutter, echoing what he tells his students at the University of Cincinnati Law School. "Insist on facts, not impressions—things you can see, hear, taste, touch or smell. Get a microscopic visualization of details that re-create reality." In a trial, witnesses can also be surprised into making admissions. Floyd Demanes, president of the California Trial Lawyers Association, observes that "taking a witness down a path where he doesn't know the object of the questions is more likely to bring out the truth." But the Senators rarely try such a blind-side approach.

Individual performances of the questioners do vary, however. Chief

*Terry Lenzner (in background) and Rufus Edmisten.

Unfolding Toward Victory

To students of form in the 100-yd. dash, Sprinter Steven Williams comes on in races with all the grace of a computer chasing the morning train. While his competitors jack-rabbit away from the starting blocks, Williams usually lags behind, frantically trying to rev up the spidery legs on his 6-ft. 3-in. frame. Instead of pounding machine-like down the track, he jitterbugs unevenly, his shoulders performing a dance of their own. "One must understand track," marvels Fellow Sprinter Herb Washington, "to understand how one can make as many mistakes as Steve Williams and yet win."

But win he does. Once he has "unfolded," as the lanky San Diego State junior describes his getaway activity, he seems to accelerate with the speed of a race car suddenly shifted into high gear. At the A.A.U. relays last May in Fresno, Calif., Williams tied the world record (9.1 sec.) in the 100-yd. dash; five weeks later, in Bakersfield, he became the first runner in 13 years to win both the 100 and the 220 in an A.A.U. championship. Last week in Turin, Italy, he swept past the best of Italian competitors to a first-place finish in the 200-meter race.

A poised, articulate 19-year-old, Williams is rapidly emerging as the man most likely to restore the U.S. to international dominance in the sprints. This week he faces the man to beat in that department. At a Soviet-American meet in Minsk, Williams runs against Russian Valery Borzov, who captured the gold medal in the 100-meter sprint

at the Munich Olympics last year and thus won recognition as "the world's fastest human."

Williams himself had been considered a strong contender for the honor until just shortly before those Olympics. In a May 1972 track meet in El Paso, however, he pulled a hamstring muscle and was unable to compete in the upcoming Olympic trials. "They were too soon for my leg to heal, which is why I didn't make the Olympic team," he says. "That was my worst upset. A big, big disappointment."

Rare Versatility. The son of a Bronx postal worker, Williams got some early training as a sprinter on New York City streets. "We used to have a thing on my block where all the kids would try to catch the ice-cream truck as it was driving away and open the back door," Williams recalls. "I was usually the first one there." In high school he concentrated on the quarter-mile event, running sprints only occasionally. He began to shift that emphasis when, in only his third competitive 100-yd. dash, he equaled a New York State high school record.

Williams adopted Tommie Smith, another long-legged, long-striding master of the 100- and 200-meter events, as his idol. "He had a distinctive high knee style," Williams explains, "and I worked on developing a knee lift. If I ran to catch a bus, I ran high knee lifts. That was all Tommie Smith's influence."

Displaying rare versatility for a sprinter, Williams still runs the quarter mile regularly. In fact, last year he set a world record (45.2 sec.) in the event for runners under 20 years of age. But in his present specialty, the early concentration on a longer-distance race has proved something of a handicap. "When I was known as a quarter miler," he says, "I just didn't have the motivation to train for a blazing start." For the moment, he is not doing much to correct the problem. "The middle of the season," he says, "is a crazy time to start changing what you've been having success with." Jim Bush, coach of the A.A.U. team bound for Minsk, adds: "He's young, and he still has to put it all together. But I really feel that Williams may be the first man to run the 100-yd. dash in nine seconds flat." If Williams succeeds in opening that door, it will be an ice-cream day indeed.

A Batter from the Pen

Ron LeFlore was not much interested in sports when he attended Detroit's Eastern High School. "I was into something altogether different," he says. Several things, in fact—like hard drugs, a breaking-and-entering conviction and finally, at 17, the Southern Michigan State Prison for armed robbery. Over the next 3½ years, LeFlore compiled a



LeFlore warming up in Clinton. Into something different.

more impressive record belting fastballs for the prison baseball team. Says he: "That's all there was in prison—baseball, baseball, baseball. I really got involved in the game."

Detroit Manager Billy Martin heard about LeFlore's robust .569 batting average and two months ago, while visiting the prison for a speaking engagement, Martin told him to "come and see me at Tiger Stadium—if you can get a pass to get out." Up for parole, LeFlore got the pass and on June 16—his 21st birthday—went to Tiger Stadium for a tryout. "I saw him hit balls into the upper deck," says Martin. "If he was 18, you'd pay \$100,000 to sign him. He's that good a prospect." Three weeks later, just a few hours after he gained his parole, LeFlore was signed by the Tigers. Shipped off to the club's Class A farm team in Clinton, Iowa, the muscular outfielder exclaimed: "This is beyond my wildest dreams! I'm going to stick with this baseball."

Detroit Outfielder Gates Brown, for one, hopes that he does because "this may be his last go-round in life." Brown should know. Recruited out of an Ohio reform school ten years ago, he has become one of the Tigers' most reliable pinch hitters. "I was able to take advantage of my opportunity," he says, "and I hope LeFlore can too." He had also best take advantage of opposing pitchers: after two weeks with the Clinton Pilots, LeFlore was batting a dismal .125. The ex-con rookie is confident that his hitting will improve once he overcomes a slight case of nerves and gets accustomed to playing night games. In prison, he explains, the floodlights were not used for baseball.



Williams starting at meet in Turin. Like a race car in high gear.

Adventures in the Skin Trade

On the surface, which is hardly an area to be overlooked in the trade, this is the golden age of the skin-magazine business. Once dismissed as a kind of red light district of publishing, the centerfold monthlies are now piling up circulations that were undreamed of a few years ago: *Playboy* and *Penthouse*, the ranking champion and brash newcomer of the field, alone account for an estimated 20% of U.S. magazine newsstand sales. From college dormitories to Army barracks, they are now a standard bit of Americana. To the obvious delight of the magazines' readership, their photographers seem locked in battle to zoom in on ever more explicit poses and privacies.

The rivalry between the empires of hedonism is intense, and not just in print. A part of *Playboy's* success is due to Publisher-Editor Hugh Hefner's carefully publicized regal life-style, which might be described as Middle-American-Sybaritic. *Penthouse's* Bob Guccione is the first imitator in a long line who has effectively challenged Hef on that front as well as on the newsstands.

Yet sud-

denly the high-powered glamour and profits seem endangered on two scores. On one side the skin kings are besieged by a host of imitators who threaten to glut even a market that sometimes seems insatiable. On the other hand there is the sudden appearance of a new and stricter legal definition of obscenity by the U.S. Supreme Court (TIME, July 2). Though the boundaries of the court's ruling are still unclear, they could well halt the skin trade's race to publish ever more explicit turn-ons. If forced to retreat, the magazines might simply succeed in boring their audience.

So far, there has been relatively little suppression of the skin mags. *Playboy* and *Penthouse* officials report distribution problems in only some 20 localities, most of them small communities in the Deep South. Last week, Guccione brashly vowed to fight any restrictions, by breaking the law if necessary. "If I have to go to jail for a good cause, that's okay with me," he told newsmen at a press conference in Manhattan. Meanwhile, Guccione pledged, *Penthouse* will provide financial support to retailers who run afoul of local police, and create a nonprofit subscription service that will mail banned magazines.

Playboy included—to readers who can no longer buy them locally. He also plans to launch an "army" of college students who will conduct door-to-door surveys in censored areas to collect local attitudes toward sexual tolerance—a criterion that the Supreme Court said could determine the range of sexual material allowed in local communities. Finally, said Guccione, the Sep-

tember issue of *Penthouse* will carry "its nudist cover yet."

Hefner reacted much more cautiously. The night after the decision was handed down, he called a sober-minded meeting of his top editors to discuss its possible consequences. Though Hefner insists that "nothing we have published would even remotely fall under the ban of the Supreme Court's decision," he also adds—somewhat inscrutably—that "we're going to have to find some satisfactory middle ground."

Worrisome though it is, the court decision may be a less critical problem for the skin magazines than their own proliferation. Success has spawned successors at a rate now heading toward the suicidal. The great majority of imitators are blatant strip-offs of *Playboy's* successful format. Guccione, a painter and photographer who has succeeded largely on a genius for promotion, led the drive on Hefner's long monopoly in 1969—and already sells some 3.4 million copies of *Penthouse* each month (v. *Playboy's* sales of 6.7 million). *Playboy* maintained a haughty indifference to *Penthouse* for three years, then replied last October with *Oui*, which combined a rambunctious editorial slant with uninhibited nudes pictured in the *Penthouse* mood. Its latest circulation guarantee—the fourth upward revision in a year—promises a base of 1,750,000 sales in October.

The month after *Oui's* debut, a former computer-company president named Ronald Fenton introduced *Gallery*, with Trial Lawyer F. Lee Bailey as a minority partner and celebrity publisher (he has since departed). Slavishly

Top: *Playboy's* Hugh Hefner (left), *Penthouse's* Bob Guccione (right) scrutinize photos for magazines. Below left: Hefner and California Companion Barbi Benton. At right: Guccione with model.







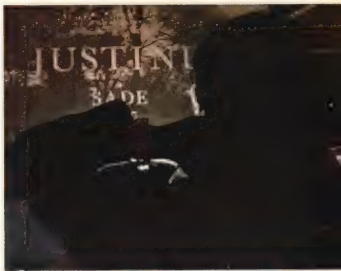
Top: In his Chicago mansion, Hefner ponders Playboy layouts on circular bed that serves as his desk. Sculpted spectator is by Frank Gallo. Below left: High life at Hefner's 30-room California estate in Holmby Hills (in lower foreground: Deep Throat Star Linda Lovelace). Right: Hefner aboard his private \$5.5 million DC-9, complete with circular bed.





Top: Guccione, who photographs most Penthouse centerfolds, poses "Pet of the Month" for August in his London penthouse; lighting and model are au naturel. Below right: Poolside at Penthouse resort on Yugoslav island of Krk. Left: Guccione and Girl Friend Kathy Keeton, a Penthouse vice president, attend to business on commercial flight from London





imitative of *Playboy* typography, make-up and design, *Gallery* has been in editorial trouble from the start—and is now rumored to have equally serious financial problems. Even so, Fenton claims monthly sales of over 1,000,000—up from 340,000 for the first issue.

If *Gallery* could draw, what could flop? Among those wondering must have been the original *Gallery* staff, many of whom have left to found new imitations. *Gallery's* first editor, James L. Spurlock, a *Playboy* alumnus, is now at work on *Touch*, which he describes as "a combination of *Cosmopolitan* and *Playboy*": 500,000 copies of the first issue are scheduled to descend on newsstands in late August. Ex-*Gallery* Associate Publisher Stephan L. Saunders left to found *Genesis*, the first issue of which appeared in June. Financed by Rocky Aoki, owner of a string of successful Japanese restaurants in the U.S., *Genesis* was primarily notable for offering charter readers two centerfold nudes for the going price of one. Still another former *Gallery* hand, Photographer George Santo Pietro, 26, jumped ship to lay plans for *Cog* (pronounced, he insists, "coke"), which has yet another lawyer-on-a-lark (Melvin Belli) scheduled to hold the title of publisher.

Sex-Oriented. There is also a flip side to sexual hip. *Playgirl*, an unprepossessing California production, appeared in May and sold out 600,000 copies; its print run for September (nude centerfold of the month: Singer Fabian) is scheduled to reach 2,000,000. By far the most ballyhooed new entry is Guccione's *Viva*, which is scheduled for an initial press run of 1,000,000 in September. Trade reports have it that Guccione plans to take on *Cosmopolitan* in the same way that *Penthouse* challenged *Playboy*. Guccione says merely that *Viva* will be "a sex-oriented magazine as *Penthouse* is."

Is there a ceiling to the market? Wall Street publishing analysts point out that the skin magazines appeal to the same basic audience; more than 60% of *Penthouse* readers, for example, also read *Playboy*. In the view of *Playboy* executives, the success of its imitators owes to the fact that readers have a growing appetite for this kind of magazine—but at some point, obviously, that appetite will be sated.

The flurry of imitators is at least partially responsible for a leveling out of *Playboy's* phenomenal growth. After posting a record circulation last November, *Playboy* has dipped to monthly sales below 7,000,000 copies, and carried 36 fewer ad pages (916) in fiscal 1973 than during the previous year.

At the same time, some of *Playboy's* widespread other enterprises, which include hotels, clubs and movie productions, have run up big losses.

Hefner explains the drop-off in advertising by pointing to a 10% rate increase that took effect in July 1972, boosting a four-color full-page ad in *Playboy* to \$42,950. Previous rate hikes, however, did not similarly dampen advertiser enthusiasm. The chorus line of imitators may even slow down its lead dancer: though Guccione claims that his threat to overtake *Playboy's* circulation by 1974 still holds, some publishing experts doubt that *Penthouse* can boost sales that quickly.

Until fairly recently *Playboy* centerfolds were coy and well-combed girls who were certain to enjoy wholesome pastimes like beach Frisbee and reading—and were good cooks to boot. They looked about as erotic as plastic dolls. That scene, Guccione told TIME Correspondent John Tompkins, "was part of a make-believe world, deliberately contrived and no longer bought or accepted."

By contrast *Penthouse* offered startlingly erotic nude photographs in which sultry models fondled themselves, wore intricate lingerie and sprawled in loose-limbed abandon. Moreover, it published letters from readers on a variety of kinky subjects that *Playboy* never mentioned. Partly in response to this far more sophisticated eroticism, *Playboy* made a key policy decision regarding public hair (show it). Its June Playmate was posing languishing in a dim boudoir wearing nothing but thigh-high black net stockings and high heels—a nod of sorts toward the fetichisms that have been a standard *Penthouse* kick. L. ex-Hooker Xaviera Hollander giving *Penthouse* readers a regular advice column on 1,001 different sexual problems? POW! Hefner strikes back with *Deep Throat* Thespians Linda Lovelace, who may be hired to offer similar help in *Qui*.

Bit of Frosting. Hefner insists that he is not bothered by *Penthouse's* innovations. In an interview with TIME Correspondent Richard Woodbury, Hefner acknowledged that his magazine "is not nearly as avant-garde, or on the forefront of the fight for sexual freedom in terms of content, as it was." The reason, said Hefner, is that "society has moved so far—there were no porno films in the '50s, there was no 'Screw' magazine." Most of the "alternates," as Hefner refers to the competition, "won't survive—they are not good enough." *Penthouse*, he said, "is an old-fashioned sex magazine with a bit of frosting," and any claim that it would overtake *Playboy's* circulation is "bullshit." Clearly reluctant to tamper overmuch with a multimillion-dollar success, he promised that "you won't see any dramatic changes in *Playboy*."

Things will apparently be a bit livelier at *Qui*. The magazine is already making money—a rare accomplish-

ment for brand-new publications—but Hefner is displeased by some of its farther-out features. Presumably as a result, *Qui's* shaggy-haired, frequently barefoot coeditor, Jon Carroll, 29, padded off his job. Last week *Playboy* placed ads in two New York publications for a successor.

The *Playboy* staff is more sedate and settled. Tenth-floor editorial offices at the *Playboy* building on Chicago's Michigan Avenue are plush, cork-paneled hideaways, many equipped with soft chairs, stereo sets and stunning secretaries. Upper-level editors, mostly in their late 20s or early 30s, earn between \$20,000 and \$30,000. Salaries at *Penthouse* are considerably lower—but promotions in Guccione's rapidly expanding conglomerate come much quicker than at *Playboy*. At present the *Penthouse* staff of 96 (v. 150 at *Playboy*) must dodge packing crates and other accumulated debris on the

JOHN ZIMMERMAN



HEFNER FEEDING PET MONKEY IN CALIFORNIA Las Vegas plus suburbia.

27th floor of a nondescript East Side Manhattan office building. A placard on the office wall of Executive Editor Arno Karlen, 36, neatly describes the *Penthouse* mission: DAMN LE MOT JUSTE FULL SPEED AHEAD.

That is definitely the velocity at which Hefner and Guccione are racing each other in after-hours life-style. The rise of *Penthouse's* sales figures has been paralleled by an impressive lengthening of Hefner's locks, and the once ivy Hef now favors bell-bottoms and vividly patterned open-neck shirts. That is still a bit less mad than Guccione's normal attire, which includes leather pants and strands of gold neck chains.

Hefner lives a kind of boyish daydream in which pleasure is one's duty: fast cars, private jets, indoor swimming pools and girls as unreal looking as the

Top: With Chicago friend Karen Christy and guests, Hefner settles down to in-house cinema. Center left: Friends relax at Hefner's California grotto pool. Right: Guccione at private screening. Below: Family gathering of Gucciones.

THE PRESS

old Playmates hovering about in large quantities. He commutes by private plane between his Chicago town house and a five-acre estate in the Holmby Hills section of Los Angeles, where he now spends nearly half his time. Every Sunday he is in residence. Hefner throws a lavish all-day party for a growing coterie of friends in the film colony (among them: Warren Beatty, John Derek and Bill Cosby) and an ever-present group of hangers-on. In relentless domesticity, there is usually a preview of a new film in the evening, along with an elaborate buffet supper.

Long a two-of-everything consumer, Hefner has lately extended the principle to his romantic life. Former Playmate Barbi Benton, his longtime escort, lives in the California mansion; blonde Karen Christy, an ex-Bunny in the Chicago Playboy Club, is ensconced in his Chicago quarters. Somehow the arrangement continues to work.

Guccione lives on a rather less luxurious scale. When directing his New

York operations he resides in a permanently reserved Drake hotel suite and gets around the city in a chauffeured limousine. In London, where he founded the British *Penthouse* in 1965, Guccione owns an expensively appointed Chelsea town house, and he frequently jets—via more commercial flights—on business trips with Girl Friend Kathy Keeton, a *Penthouse* executive vice president. Though he has become famous for his promotional brashness, Guccione is soft-spoken in person. When photographing *Penthouse* centerfold models—he insists on finding ones who have never appeared in the nude before—Guccione quietly coaxes them out of their shyness, crooning "Beautiful, beautiful" as the clothes drop and the shutter clicks.

Comic Strip. The two have more in common than they may realize. Both wanted to be cartoonists; Guccione contributes Jules Feifferish pieces to his magazine, Hefner once maintained a comic strip on the events of his life. Both men are divorced parents, and both have employed their own fathers as corporate treasurers. Glenn Hefner, 75, is a shy, church-going Methodist whose hobby is photographing flowers; white-haired Anthony Guccione, 68, is an accountant whose hip dress style reflects that of his son.

Most important, both Hefner and Guccione are hard-driving, ambitious men who have accumulated wealth by anticipating the taste of their times. Hefner shrewdly assessed a massive change in public attitude about sex a generation ago (*Playboy* will turn 20 in January); Guccione proved that the enthusiasm for magazines celebrating that change is wider than had been previously believed. But there are signs—early ones, to be sure—that public attitudes may be moving in a different direction. In short, the skin kings seem secure for some time to come, but it just may be that they have reached the limits of the New Frontier of Sex.

MILESTONES

Born. To Crown Prince Harald of Norway, 36, son of King Olav V, 70, and a great-great-grandson of Britain's Queen Victoria; and Crown Princess Sonja, 36, a dress merchant's daughter who married Harald in 1968 in spite of King Olav's opposition: their second child, a hoped-for prince; in Oslo. Under Norwegian law, only a royal male can inherit the throne.

Married. Nelson Doubleday, 40, grandson of the founder of Doubleday & Co. and executive vice president of the venerable, family-controlled American publishing giant; and Sandra Pine Barnett, 30, a Connecticut real estate broker; both for the second time; in Greenwich, Conn. Three days later, Doubleday came into full control of roughly \$10 million of company stock, worth \$300,000 a year in dividends.

Divorced. Diahann Carroll, 38, chic-sexy nightclub singer and the first black actress to star in her own television series (NBC's *Julia*); by Freddie Glusman, 39, the prosperous Las Vegas haberdasher who married her four months ago, shortly after Carroll broke her engagement to Talk Show Host David Frost; in Reno.

Died. Jack Hawkins, 62, robust, husky-voiced British actor often cast in the role of a steadfast military man (*Bridge on the River Kwai*) or a true-blue police inspector (*Gideon of Scotland Yard*); following a long battle with throat cancer; in London. In 1966 Hawkins lost his larynx to cancer. Last April, hoping to regain his full voice, he volunteered to undergo an experimental procedure in Manhattan for the surgical implantation of an artificial voicebox, but his throat never healed.

Died. Louis J. Caldor, 73, the art collector who discovered one of America's most popular primitive artists, the late Grandma Moses; near Clarksburg, Md. In 1938, Caldor, an engineer by profession, noticed some of her paintings among the jellies and dollies in a country drugstore window in upstate New York. He bought them all at an average price of \$4 apiece. Two years later he helped the 80-year-old widow arrange for the first one-woman showing of her rural scenes in a Manhattan art gallery—paintings which eventually sold for as much as \$10,000.

Died. Ida Bailey Allen, 88, who provided American homemakers with down-to-earth recipes in more than 50 cookbooks (*Ida Bailey Allen's Modern Cookbook*, *Cook Book for Two*); in Norwalk, Conn. Twice a widow, Mrs. Allen believed that good home cooking was an antidote to the rising divorce rate.

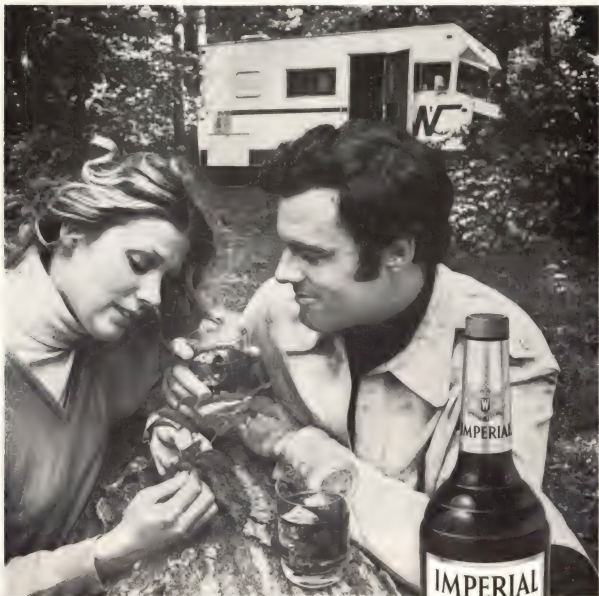


"GENESIS" PUBLISHER ROCKY AOKI



"GALLERY" PRESIDENT RON FENTON & STUFFED FRIEND IN CHICAGO

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These tour packages American has may be the best ever for a couple. For only \$269* each (Chicago

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You've always wanted to see California.
Why not with someone you love?

American Airlines
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*Price is per person. It includes round-trip coach airfare and tax, subject to change without notice.

The package includes 6 nights in Holiday Inns around the state, and an Avis car with unlimited mileage for 7 days. (You just pay for gas.)

ANTITRUST

Going After the Oilmen

The huge corporations that dominate the U.S. oil industry have long occupied one of the most lucrative areas in the American economy. Because they are so powerful and pervasive, they have been under almost constant Government scrutiny—and the investigations have intensified as a result of the nation's first peacetime gasoline shortages. Last week the Federal Trade Commission filed a massive antitrust com-

plaint, charging the nation's eight largest oil companies with illegally monopolizing refining, driving competitors out of business, aggravating recent gasoline scarcities and reaping excessive profits. The complaint may drag through courts and hearing rooms for years, but it could lead to the most significant restructuring of the industry since the trustbusters cracked Standard Oil in 1911.

All eight companies rank in the top 25 of the *Fortune* 500. In order of size of assets, they are: Exxon, Texaco, Gulf, Mobil, Standard of California, Standard of Indiana, Shell and Atlantic Richfield. Among them, they have assets of \$76 billion; their profits last year totaled nearly \$4.6 billion. All are vertically integrated, that is, involved in every phase of the industry—exploring for oil, pumping it from wells, shipping it by pipelines, refining it, and selling it at service stations. Together, they control 51% of domestic crude-oil production, 64% of proven domestic reserves, 58% of refinery capacity. Their brand-

name service stations account for 55% of all retail gasoline sales.

The FTC charges that at least since 1950 the firms have been "pursuing a common course of action" to "maintain and reinforce a noncompetitive market structure." During a two-year investigation of the industry, the commission staff concluded that the companies have been: 1) controlling supplies of crude oil and refined products through a complicated series of pricing and production decisions; 2) using oil-depletion allowances and other tax regulations to reap huge profits at the production level while running their refining, distribution and marketing operations so cheaply that other companies could not effectively compete; 3) ensuring a sufficient supply of crude and refined products for their own refineries and service stations through cozy exchange agreements among themselves and with certain independent refiners, while refusing to sell to other refiners and service stations.

As a result, more than 1,000 independent service stations were forced to close down this year, and gasoline shortages were particularly severe in the areas where independent refiners and marketers are concentrated. Moreover, the FTC contends, many users of gas and oil have had to pay higher prices than if a "competitively structured market" were in play.

The FTC complaint does not charge the companies with conspiring to bring about their dominant market position. Rather, it seeks to make illegal a form of business behavior known to antitrust lawyers as "conscious parallelism." According to the FTC, the companies—simply by keeping close watch on one another—were able to coordinate their pricing, production and marketing decisions in ways that restrained trade. The courts will have to determine whether these actions—which have not previously been held to be illegal—violate the antimonopoly laws. The FTC does not specify what it wants the companies to do in order to end these alleged abuses. For the moment, it asks only "such relief as is necessary or appropriate." This might include forcing the companies to divest themselves of their refining or marketing operations or both.

Such a shift would end a pattern of vertical integration that has prevailed in petroleum since the heyday of John D. Rockefeller. Harvard Economist Marc J. Roberts argues that the indus-

try is dominated by vertically integrated firms because the action against Rockefeller's Standard Oil Co. in 1911 did not go far enough. Instead of carving the empire into its functional parts—production, refining and marketing—Roberts says, "the Government split it along geographical lines, thus making every successor company vertically integrated." In fact, five of the charged firms—Exxon, Standard of Indiana, Mobil, Atlantic Richfield and Standard of California—were created by the breakup of Rockefeller's trust.

The companies contend that vertical integration is an economic necessity that works in the best interest of con-

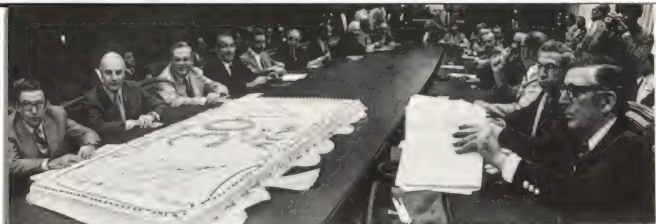


In proper hands at last (circa 1889).



sumers. By controlling production, they say, they ensure that their refineries will be supplied, and by operating retail outlets, they guarantee that the refineries will turn out products that are in demand. They also argue that their industry is intensely competitive. Says a Texaco spokesman: "No single company has as much as 12% of the crude production, refining capacity or product sales." Atlantic Richfield President Thornton Bradshaw sums up industry feeling about the charges: "Baloney!"

While the FTC battle proceeds, the Administration is considering a mandatory program of allocating both crude oil and refined products to assure the survival of independent refiners and almost all of the independent gas stations. There is also the possibility that Congress will enact a law that would break up the big oil companies along functional lines. Currently, such legislation stands only a slim chance of passing. But if this winter brings fuel oil shortages or next summer brings a repetition of the gasoline scare, sentiment could swing in favor of such a law.



U.A.W. PRESIDENT LEONARD WOODCOCK (RIGHT) GIVING CAKE WITH UNION DEMAND TO GENERAL MOTORS OFFICERS

LABOR

The Work's Too Long

At the staid headquarters of General Motors last week, officers of the United Auto Workers jokingly presented company executives with a huge white cake iced with the words 30 AND OUT NOW! They were emphasizing the union's push for retirement with a monthly pension of \$650 after 30 years' employment—whatever a worker's age. At the Ford Motor Co., a U.A.W. official turned up in a kilt and sporrán, sporting a button that demanded a wage increase of 27.5%—JUST LIKE HENRY. Chairman Henry Ford's pay last year rose some 27%, to \$874,567.

The fun and games marked the start of the biggest of this year's labor-management confrontations—U.A.W. negotiations with Detroit's Big Three for a new wage contract covering 700,000 auto workers before the old pact expires on Sept. 14. The workers seem to be in a better mood than in 1970, when rank-and-file anger at being left behind on pay led to a disastrous 67-day strike. Both U.A.W. Chief Leonard Woodcock and company men agree that chances for a peaceful settlement look good.

Home Life. The hottest issue is the union's demand that employees be permitted to refuse overtime work. Workers complain that long hours hurt their health and home life. Managements contend that mandatory overtime is necessary to keep assembly lines moving smoothly. The union's reply: G.M., Ford and Chrysler operate profitably in Canada and Europe, where involuntary overtime is forbidden by law.

Union officials say that they will seek "a substantial wage increase" over the present average of \$5.19 an hour (with fringe benefits, it comes to about \$8). They are also asking for a clause that would increase wages by four cents an hour for every one-point rise in the Government's cost of living index; now they get two-and-a-half cents every time that the index goes up a point.

Government officials and economists have made much of the "moderate" settlements that other major

unions have agreed to this year. Increases in rubber, oil, trucking and apparel have averaged no more than 7%. But 7% seemed tolerable because the strong productivity gains that accompany a surging economy held production costs down. As the economy slows, however, output per man-hour will grow at a lower rate. Even if labor is moderate in its demands, production costs and prices will go up, and 7% pay gains will be harder to accept. If the unions decide to go for broke, a cost-push inflation could well be added to the present demand-pull inflation. Together they are a prescription for trouble.

SCANDALS

Sweatshops in the Sun

Most Americans think that child labor is a Dickensian anachronism that went out with sweatshops, the 60-hour week and the dark, satanic mills of the 19th century. Yet down on the farm child labor remains a national scandal. Hundreds of thousands of children are working in fields all around the country. They labor in the cherry orchards of Michigan, the peach orchards of Colorado, the tomato fields of New Jersey, the bean fields of Oregon. The practice is especially flagrant in California, the richest agricultural state. After visiting San Joaquin Valley, TIME Correspondent David DeVoss sent this report:

Apolarin Castillo is slight for his eleven years. But size is an advantage for Apolarin, who has been a farm laborer since he was five. He can reach down to the squat chili bushes with ease; his nimble little hands are perfect for plucking ripe chili peppers. "He can pick faster than any of us," beams his father Luis, who works alongside him.

Apolarin's stature confers another benefit: when state labor inspectors make their infrequent visits, he can crawl into a nearby irrigation ditch and hide. Last week, however, a sharp-eyed inspector caught Apolarin. If he had ordered him to leave the fields, the Castillo family would have to go without

the \$2.70 that his average 48 lbs. of peppers a day contributes to their earnings—and one of his five brothers and sisters might have gone hungry.

Apolarin's plight is not uncommon among farm children in the U.S. As many as 300,000 agricultural workers under 17 spend more time in the fields than in school. In California, about 95% of these laboring children are Chicanos and Mexicans. Many receive hardly any education at all as they follow their parents from one harvest to the next. They are in the fields by sunup seven days a week, often in 100°-plus heat, frequently near dangerous farm machinery and toxic pesticides.

The 1938 Fair Labor Standards Act in general prohibits children under 16 from working in the fields during school hours. In all, 22 states have their own minimum-age requirements. But enforcement offices are woefully understaffed—California has only 14 inspectors—so the laws are often unenforced.

Migrant workers often prefer to



CALIFORNIA BERRY-PICKER, AGED ELEVEN
Not quite like mowing the grass.

"How can I continue to protect my family if I lose my job and can't make my life insurance policy payments?"

Most life insurance policies give you 3 ways to do this. Provided the policy has built up a cash value.

First, you may decide on something called extended term. Here the cash value of your present policy is exchanged for temporary life insurance protection. In the same amount you now have. With no further payment by you.

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Or, here's a third possibility. If your policy has an automatic premium loan provision, amounts will be deducted automatically from its cash value, while it lasts, to pay your premiums until you go back to work.

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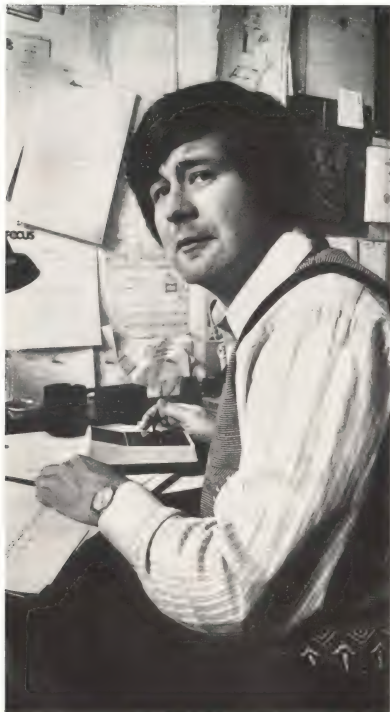
Our business is maintaining a field force of over 200,000 agents, trained to answer your questions about life insurance. On the spot.

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Your life insurance companies.



BUSINESS

keep their children in the fields instead of in school. "I want my son to have a good education, but sometimes it's good for him to help with the work," says Miguel Merino, whose ten-year-old son Ricardo earns about \$1.80 a day picking vegetables near Fresno. That togetherness is motivated not just by philoprogenitiveness but also by economic necessity. The average income of families living in California's 26 agricultural labor camps is \$3,019 a year, and many migrant families must put every child to work simply to keep alive. Growers generally pay a "piece rate," or fixed fee per basket or pound. Under that system, an entire family can work together, filling the same container and using a single Social Security number.

Many growers do not consider child labor a problem. "I guess we just think different about child labor than most people," says Ben Lopez, director of research for the Grower-Shipper Vegetable Association in Salinas. "Everybody I know thinks work is good for young people. Letting migrant children work is no different from letting your child mow the grass."

Not quite. Dr. Lendon Smith, a prominent Portland, Ore. pediatrician and author, contends that crouching, bending or staying in one position for long periods of time in the fields can prevent normal physical development of children. Only about 20% of migrant farm children remain in school beyond the sixth grade. This spring an estimated 50,000 youths were working the fields in California instead of attending school. "Even if by some miracle we found those 50,000 kids, we wouldn't have the money to teach them," says Leo Lopez, chief of migrant education in the state's education department. "California may have a \$5 billion agricultural economy, but to this day it hasn't contributed one damn cent to the migrant education program."

There are four bills before Congress that deal specifically with child agricultural labor. The bills would put new limits on farm work by anyone under 16 years old (with some exceptions), provide extra funds for education programs, and improve health care for migrant children. But parents and growers will probably continue to ignore the laws as long as families must depend so much on a child's extra wages.

CORPORATIONS

New Guard at Du Pont

Only three years ago, the biggest and oldest family-led company in America, E.I. du Pont de Nemours & Wilmington, Del., was hip-deep in family troubles. Chairman Lamont du Pont Copeland was bogged down in his son's spectacular personal bankruptcy and other problems, and Du Pont's industrial stature was sliding. So "Mots" Copeland was eased aside for Charles



CHARLES B. MCCOY



EDWARD R. KANE



THEIR APPARENT IRVING S. SHAPIRO

Brelsford McCoy, the first chief executive in the chemical giant's 171-year history to have no direct Du Pont family ties. Under "Brel" McCoy, profits rose smartly, from \$334 million on sales of \$3.6 billion in 1970 to \$414 million on sales of \$4.4 billion last year.

Last week McCoy, with the approval of Du Pont's board (only a third of its present 27 members have family connections), promoted two nonfamily executives to positions that put them in line to take over when the chairman reaches the mandatory retirement age of 65 next April. Senior Vice President Irving S. Shapiro, who moved up to the new position of vice chairman of the board, is now officially No. 2 in the Du Pont hierarchy, and heir to the chief executive's job. Edward R. Kane, another senior vice president, was appointed president, and will provide the other part of a two-man top management team after McCoy leaves.

A colleague describes Shapiro and Kane as "a finely matched pair of big guns." But they work with sharply contrasting styles. Upon announcement of their promotions, Shapiro uncorked a bottle of champagne; Kane looked for a tennis game.

Kane, 54, earned a Ph.D. in physical chemistry from M.I.T. in 1943, joined Du Pont the same year, and rose through the company's textile branches. Shapiro, 57, is a courtly lawyer. He will become the first chief of Du Pont who is neither a chemist nor engineer, and has not spent his full career with the company.

"Mine is the typical American story," says Shapiro. Son of Lithuanian immigrants, he worked in his family's small cleaning plant in Minneapolis; used loans to go through the University of Minnesota Law School ('41). He

joined the Office of Price Administration in World War II, worked side by side with another lawyer, Richard Nixon. Recalls Shapiro: "He was a pleasant guy who got along with people."

Later Shapiro made a name for himself as a Justice Department lawyer prosecuting Communist leaders. He joined Du Pont in 1951 because "Du Pont was an exciting place to be in business, despite its conservative aura at the time." Shapiro won his stripes by directing its epic battle with the Justice Department over divestiture of the company's General Motors stock—a struggle that finally ended in 1965 with Du Pont losing the antitrust action but disposing of the stock on favorable terms. Lately Shapiro has been the company's key negotiator in Securities and Exchange Commission hearings on Du Pont's plan to merge with and dissolve Christiana Securities, the Du Pont family holding company—a move that would further reduce family influence.

In addition Shapiro has helped the company demonstrate greater community concern. Along with Chairman McCoy, he was largely responsible for Du Pont's putting up incentive money for the rehabilitation of run-down housing in Wilmington, and for offering Du Pont attorneys as Legal Aid defense lawyers. Shapiro himself is active in the Urban Coalition, the United Fund and local Jewish charities.

He describes himself as McCoy's "alter ego," and the two have worked closely together in making cutbacks in both personnel and prices that have brought Du Pont out of the doldrums. All in all, some insiders say that Shapiro "has done more for the Du Pont Co. than anyone since Thomas Jefferson," who gave the firm its first large gunpowder order.

Right now you have a lot more reasons for buying a small car than you did a few months ago.

Now there's a small American car called Apollo. It's by Buick. And it's different.

It's different because Buick wanted to give America a small car that, for once, was more than just economical. We wanted a small car that had weight, quietness, performance, and the kind of comforts you expect of a larger car. Without sacrificing the nimbleness you expect of a small car.

In other words, with Apollo you've got all kinds of reasons for buying a small car.

Weight. Apollo weighs 450 pounds more than some compacts. So crosswinds are going to have trouble pushing Apollo around.



Quietness. On all Apollo models, sound deadeners are

applied to the roof, doors, floors and wheelhouses. There's insulation below and behind the instrument panel. All in all, Apollo is an unusually quiet small car.

Performance. With a Buick V-8 to move it, Apollo isn't just another compact. There are two V-8s available for Apollo. Both are the same engines that go into our most expensive Century models.



Interior. Thick carpeting is standard. So is an instrument panel with wood-grain vinyl accents. So are front and rear armrests and ashtrays. And the full-foam seats are very

un-small-car. They're big, thick, and comfortable.

There's one more thing that makes Apollo a different small car.



Price. With recommended equipment, you'll probably spend more for Apollo than you would for the typical small American car. But you won't be getting a typical small American car.

Which brings us right back to the basic difference between the American small car and Apollo. One is simply more car. And you know which one that is.

The small car you move up to. Apollo by Buick.



Shouldn't your next pack be True?

U.S. Government tests show True lowest in both tar and nicotine of the 20 best-selling brands.

Think about it.



Regular: 12 mg. "tar", 0.7 mg. nicotine,
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av. per cigarette, FTC Report Feb. 73.

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

2,000,000 Out There

Helen Dickerson Wise looked out the kitchen window of her 100-year-old white clapboard farmhouse one day last week and mulled over the riches that the summer would bring. "I helped my son Dirk plant 755 tomato plants a month ago," she remarked, "and found muskies that I haven't felt in years. By now the corn is about ready; we'll be having the first ears next week. We won't have any strawberries this year, but I'll can and jam the peaches from our own trees in the early fall." Mrs. Wise also was keeping an eye on 30 head of polled beef cattle, 100 chickens and a collie named Pabby, but not on a rabbit that was hiding "around some place."

All this is fitting and proper for a housewife who helps manage a 175-acre farm in the bountiful Penns Valley not far from Harrisburg, Pa. (she also plays the organ at the Lutheran Church). But Mrs. Wise says she sometimes wakes up in the middle of the night and thinks: "My heavens, there are 2,000,000 teachers out there. Then I wonder about what 2,000,000 people could do if they had the right leadership." This, too, is fitting and proper, for Mrs. Wise has just assumed the presidency of the 1.4-million-member National Education Association. On her, therefore, falls the responsibility of trying to negotiate a merger during the coming year with the smaller but more militant American Federation of Teachers (375,000 members). If the negotiations with New York's Albert Shanker and other teacher-union leaders succeed, the combined union will be the second largest in the

U.S., exceeded only by the Teamsters.

Mrs. Wise, now 44, has been a schoolteacher for more than 20 years, as has her husband Howard, 49, but it was only ten years ago that she first got involved in politics. It was at a meeting in which the teachers were pressing the school board for raises. "People had been talking all night," she told TIME's Marion Knox in her farmhouse kitchen. "It was obvious that we weren't going anywhere. Howard nudged me and said, 'You talk.' I did and really blasted the board members. The next morning the teachers asked me to be salary chairman. We got the pay raise and a lot of other things out of that 32-member board. I tell you, when you can convince 32 people that what you want is reasonable, I think that I can handle Shanker."

Mrs. Wise says that her husband and three teen-age sons have always supported her endeavors. "I remember in 1968 when we led a demonstration of 20,000 teachers to the steps of the state capitol in Harrisburg for the salary appropriations. I thought I had left the kids safely at home and when we got to the steps I looked up and saw my three sitting in the tree above the Governor's head."

The organization that Mrs. Wise now heads has long been rather staid and traditional, but it has formidable potential—a full-time staff of 700 and an annual budget of \$31 million. In this era of slashed budgets and job shortages, Mrs. Wise plans to use the N.E.A. potential for maximum political power. She wants presidential candidates to seek N.E.A. endorsement, and she promises to work "politically and legislatively" to "put a friend of educa-

tion in the White House." Other plans:

► Pushing a collective-bargaining bill for public employees, which is introduced in Congress in June.

► More federal funds for education. "Our goal is one-third state funding, one-third local funding, and one-third federal funding."

► Considering a constitutional amendment that would make equal education a basic right of all Americans.

► Professional standards for teachers. "Nobody hates a bad teacher more than a good teacher does, because he or she demeans us," she says. "We are the only professionals who haven't anything to say about who gets into the profession. Even barbers and beauticians have their own standards boards. But there must also be due process if a teacher is fired."

The N.E.A. itself is a powerful force for all these causes, but its power would be greatly increased by merger with the A.F.T. The A.F.T. is strong in such cities as New York and Chicago, whereas the more rural N.E.A. is most effective in state capitals. The main obstacle is the A.F.T.'s insistence that the unionized teachers join the AFL-CIO. Many N.E.A. members once opposed the AFL-CIO as too liberal; some still do, but others now oppose its conservatism.

"There are a great many reasons for the merger," says Mrs. Wise. "but if it means membership in the AFL-CIO, we would lose half our people. Those in California, the Southwest and the Southeast are violently opposed to joining it. In some cases, it's a fear of being dominated. In some cases the AFL-CIO represents the private sector, and they feel that the public sector [teachers] should band together outside of that. Furthermore, many of the blacks and minorities feel that the A.F.T. and the AFL-CIO have not been on the cutting edge of minority rights, that they haven't been given as fair a shake as the N.E.A. has given them."

"But we need the merger. We need the combined power. I remember John Kennedy said that if teachers didn't get into politics, there would be no one to speak for the kids or for education. I guess I'm a populist. I believe that we can make a difference."

The Professor Protests

Tourists sightseeing among the shops and cafés on West Berlin's festive Kurfürstendamm were startled last week at the spectacle of a distinguished, middle-aged man with yellow paint splattered over his head and onto the shoulders of his blue blazer. He was walking back and forth carrying a large hand-lettered sign that read:

RU [Technical University] PROFESSOR—UNPOPULAR WITH THE COMMUNISTS
The fate of Folkmar Koenigs, 57.



IN THE CLASSROOM

HELEN WISE ON HER FARM

"You're a disgrace to the regiment," they said
as they tore the stripes from my arm.

66 Good-bye NICK 99

My name was Pierre Ettienne La Rogue. But my fellow officers in the French Foreign Legion called me, "Nick." I can still hear their jeers as they pointed to the shaving nicks that decorated my face like medals of dishonor. And then that blackest of black days—I was drummed out of the Legion. "You're a disgrace, Nick," they said as they tore the stripes from my arms.

I wandered alone beneath the desert stars, pondering my fate. Suddenly, at an oasis, a mysterious bedouin slipped me a Gillette Technomatic® razor. I turned the lever to adjust it to my own individual face and beard. I discovered that instead of blades with sharp corners that can cut and nick my face, there's a continuous razor band. All safely enclosed in a cartridge so I will never have to touch a sharp edge again. And I even noticed the different feel of the Technomatic...the lightness, the balance. And I knew I would always get a smooth, safe shave.

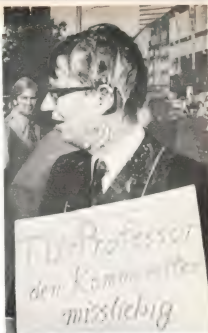
I was restored to my regiment with honor and became known as "Pierre of Pakistan." And as long as there is a Gillette Technomatic...

no man will ever again
call me "Nick."



With Gillette TECHNOMATIC
it's good-bye Nick

Gillette Company Boston Mass



PROFESSOR FOLKMAR KOENIGS
A public warning.

professor of economic law, was new proof of the disruptive power of radical university students in West Berlin (TIME, July 3, 1972). To combat the radicals' threats and demonstrations, Koenigs joined in forming a faculty group called the Emergency Association for a Free University, known as NOFU. Last spring the Communist Students League staged a public "trial" of the NOFU professors and condemned them as *Denunzianten*, the term that used to be applied to Gestapo informers. Koenigs went to court and obtained a judicial order banning the use of the epithet on student posters and leaflets.

Last week, when Koenigs went to have lunch in a student cafeteria, he saw a 5-ft. by 12-ft. banner in the entrance demanding the expulsion of "NOFU denouncers." He asked the cafeteria manager to have the banner taken down. The manager refused, so Koenigs took out his pen knife and cut out the offending words.

As he was returning to the university, he heard footsteps behind him, then felt the slush of paint dripping down his face. "What is important," said Koenigs, "is not that a fellow had a bucket of paint dumped on his head but that the university is out of bounds to the authority of this democratic state. The radicals are exercising all power, and it is dangerous to all of us when they can trample on anyone they want and nothing happens."

So Professor Koenigs offered himself as a public warning. As he marched to and fro, several older people came up to congratulate him for his demonstration. But a crowd of students began gathering too, threatening to beat up the older people unless they kept quiet and went away. Koenigs heeded the warnings, gave up his parade and went home and cleaned up.

The answers to some questions frequently asked by our sponsors

If you are considering sponsoring a child through the Christian Children's Fund, certain questions may occur to you. Perhaps you will find them answered here.

Q. What does it cost to sponsor a child? A. Only \$12 per month. (Your gifts are tax deductible.)

Q. May I choose the child I wish to help? A. You may indicate your preference of boy or girl, age, and country. Many sponsors allow us to select a child from our emergency list.

Q. Will I receive a photograph of my child? A. Yes, and with the photograph will come a case history plus a description of the Home or Project where your child receives help.

Q. How long does it take before I learn about the child assigned to me? A. You will receive your personal sponsor folder in about two weeks, giving you complete information about the child you will be helping.

Q. May I write to my child? A. Yes. In fact, your child will write to you a few weeks after you become a sponsor. Your letters are translated by one of our workers overseas. You receive your child's original letter, plus an English translation, direct from the Home or Project overseas.

Q. What type of Projects does CCF support overseas? A. Besides the orphanages and Family Helper Projects CCF has homes for the blind, abandoned babies homes, day care nurseries, health homes, vocational training centers, and many other types of Projects.

Q. Who supervises the work overseas? A. Regional offices are staffed with both Americans and nationals. Caseworkers, orphanage superintendents, housemothers, and other personnel must meet high professional standards—plus have a deep love for children.

Q. Is CCF independent or church operated? A. Independent. CCF is incorporated as a nonprofit organization. We work closely with missionaries of 41 denominations. No child is refused entrance to a Home because of creed or race.

Q. When was CCF started, and how large is it now? A. 1938 was the beginning, with one orphanage in China. Today, over 150,000 children are being assisted in 55 countries. However, we are not interested in being "big." Rather, our job is to be a bridge between the American sponsor, and the child being helped overseas.

Q. May I visit my child? A. Yes. Our Homes and Projects around the world are delighted to have sponsors visit them. Please inform the superintendent in advance of your scheduled arrival.

Q. May groups sponsor a child? A. Yes, church classes, office workers, civic clubs, schools and other groups. We ask that one person serve as correspondent for a group.

Q. Are all the children orphans? A. No. Although many of our children are orphans, youngsters are helped primarily on the basis of need. Some have one living parent unable to care for the child properly. Others come to us because of abandonment, broken homes, parents unwilling to assume responsibility, serious illness of one or both parents, or parents just too poor to care for their children.

Q. How can I be sure that the money I give actually reaches the child? A. CCF keeps close check on all children through field offices, supervisors and caseworkers. Homes and Projects are inspected by our staff. Each Home is required to submit an annual audited statement.

Q. Is CCF registered with any government agency? A. Yes. CCF is registered with the U.S. State Department's Advisory Committee on Voluntary Foreign Aid, holding Registration No. 080.



Margaret was found in a back lane of Calcutta, lying in her doorway, unconscious from hunger. Inside, her mother had just died in childbirth.

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Disney After Walt Is a Family Affair

"The financial fellows think we're going to fall on our faces without Walt," said his brother Roy O. Disney a few months after Walt Disney died in 1966. "Well, we're going to fool them." By Jimmy Cricket, fool them they did. Seven and a half years later, Walt Disney Productions has become the only blue-chip stock in show business. The company's revenues have soared, from \$116.6 million to \$329 million, and so have profits, from \$12.4 million to a record \$40 million. In fearing that the Disney empire would founder after the death of its founding genius, the financial fellows forgot to reckon on one thing: the continuing presence of Walt Disney.

That presence is palpable throughout the sprawling terra cotta studio he built in the first flush of *Snow White's* astounding success in 1937. Until this spring, his office in the animation building at the corner of Mickey Boulevard and Dopey Drive was left exactly as it was the day he died. In April, it was dismantled and painstakingly reconstructed at Disneyland—the notes where he left them on the low black desk, the scripts he was reading tucked neatly in the rack behind. Disney executives reverentially continue to invoke Walt's philosophy; often in discussing projects or plans, they will offer the ultimate approval: "Walt would have liked it."

"We haven't gone in any new directions," admits President and Chief Operating Officer E. Cardon Walker. "The name has become a guarantee. If it says Walt Disney Productions, a fam-

ily can be assured that they're not going to be shocked in any way—bored maybe sometimes, but never shocked."

The company remains essentially a tightly knit family affair. The heirs of Walt and Roy O. Disney (who died in 1971) retain the largest single block of the stock. President Walker, 57, and Chairman Donn B. Tatum, 60, both joined the Disney brothers in the '30s; Executive Producer Ronald W. Miller is Walt's son-in-law, and Roy Disney's son Roy E. Disney heads T.V. projects.

But the 50-year-old small-family firm, launched on \$40 and the scrawny figure of a four-fingered mouse, has grown to encompass two of the country's major tourist attractions—Disneyland and Disney World: motion-picture- and television-producing Buena Vista studios; WED Enterprises, an engineering and design group that is fondly known as the "Imagineers" and is responsible for many of the technological wonders of Disneyland and Disney World; several hotels, a travel service, a record company, a music-publishing corporation and a touring company; toy-manufacturing and merchandising operations; the governments of two legally constituted municipalities within Disney World; and, through Disney endowments, the California Institute of the Arts in Valencia, Calif.

Of all these fiscally prescient pipe-dreams come true, by far the most profitable have been the amusement parks. Disney World, the giant, technologically pure preserve in central Florida which company executives unflinch-



WALT & WIFE LILIAN WITH MICKEY IN 1935
Prescient pipe-dreams.

ly refer to as "The Magic Kingdom," far exceeded original estimates with an attendance of 10 million in 1972, its first full year in operation. In the first few months of this year, attendance jumped another 8.6% as millions more plunked down an average \$10 a head to trundle down superclean "Main Street" into the most audacious mélange of futuristic urban planning and nostalgic cutie-poo kitsch ever conceived.

Nevertheless, one-third of the company's revenues still come from the cor-



OPENING DAY (LEFT) & MONORAIL
AT DISNEY WORLD

nerstone of Disney's original vision—reissues of old Disney classics, many of which are currently being rerun in a month-long retrospective at Manhattan's Lincoln Center (see box). Company executives estimate that their primary audience turns over every seven years; so periodically, like a clockwork bubble-gum machine, one or another of the animated features is offered up

again to a whole new crop of moppets.

Many of the old films have been more successful in re-release than originally. *Bambi*, considered a failure when it grossed only \$1.5 million in 1943, has vindicated Disney's vision by drawing an impressive \$15.5 million to date. *Cinderella*, presently in re-release, has grossed \$17.5 million in four circuits. A few years ago, one Disney employee

confessed that *Alice in Wonderland* had never been re-released because latter-day misinterpretations might tarnish the Disney image; the Caterpillar, for instance, loftily puffing on his hookah, now looks suspiciously—well, stoned. The mind-tripping *Fantasia*, however, has quietly played to a new "youth" audience for several years.

Only two animated features have

The Films: No Longer for the Jung at Heart

Disney movies succeed not merely because they appeal to the least common denominator, but because Walt Disney Productions carefully—and exclusively—addresses itself to the most common problem of the entertainment consumer: "Where can we take the kids?" In order to do so, the corporation has sacrificed creative vitality, cultural relevance and its former, justifiable pretensions to genuine, if inevitably industrialized, artistry. Which is a way of saying that somewhere along the road to its present, seemingly invincible prosperity, it lost its soul.

That soul, on the evidence of the early short cartoons—made before Disney or anyone else devoted any time to consumer analysis—was anarchic, occasionally cruel, broad and bawdy in its humor. If it did not comfort the afflicted (except by providing them with virtuosic entertainment), it certainly afflicted the comfortable. It was a direct spiritual descendant of the great silent screen comedies.

Later, when Disney started to make animated features, the best of them unpretentiously, perhaps unconsciously touched the great mythic themes: they were tales of loss and of quests, and even their most comic moments were haunted by weird and frightening figments of untrammelled imaginations. They were dream works, not in the pressagent's sense of the word, but in Jung's. Snow White's flight through a forest that seemed to come alive and clutch at her; the vision of the creation of the world in *Fantasia*; Pinocchio's search for his father, taking him through the grotesque amusement park on the island of lost boys and into the belly of a whale—these sequences strummed psychic chords that live-action comedies like *The Barefoot Contessa* (1971) do not aspire to touch.

The clue to what has happened lies in the amusement parks. They are clean, bright, and—to some specialists—models of sensible urban design. But their rides and electronic puppet shows are plasticized, sanitized pseudo-experiences, pedestrian reductions of fantasies and adventures. They boggle the mind without stimulating it. The same is true of latter-day Disney movies, often set either in a small-town America entirely detached from what is left of that old reality or in a scrubbed-up version of a

turn-of-the-century world that feeds the nation's nostalgia for what it fondly—if erroneously—believes were simpler, better times. Setting aside the animated features, the typical Disney movie today is static, over-reliant on low-grade verbal humor and ill-conceived comic situations—cars and chimpanzees that are almost human, which is more than you can say for the people who appear in support of them.

The technical effects—see the re-released *Mary Poppins*, or even 1971's *Bedknobs and Broomsticks*—are still wondrous, but the stage waits between them can turn a kiddie matinee into a squirming riot of befuddled restlessness. They cannot articulate it, but children do know when they are presented with inauthentic experiences, when the scary stuff is not really scary and the funny stuff is not really funny. One has only to compare reactions to recent Disney releases with the delicious shudders and joyful yelps with which another generation greeted *Snow White* or *Pinocchio* to see how the studio's work has declined—and how willingly parents settle for anything it cares to hand them.

This is partly because, for a couple of decades, the studio has had no steady competition from other entertainment entrepreneurs and no serious, sustained criticism from an intellectual community that has its eye on what it thinks are loftier matters (there was a time when figures like Edmund Wilson and Mark Van Doren did not consider it beneath them to comment on Disney creations). Partly it is because the general audience has allowed itself to believe that the acceptable range for family fare is a narrow one, encompassing cuddly animals, bland costume pictures enlivened by painfully obvious song-and-dance numbers, and not much else. The enthusiastic reception for the older, gutsier Disney features and animated shorts at the Lincoln Center retrospective ought to demonstrate that there is a hunger for something more.

As Disney's rural dream fades further and further from living memory, as each succeeding generation of children grows more sophisticated in its tastes, it seems likely that the Disney organization will gradually have to change the formulas for its line of plas-



SCENE FROM FORTHCOMING "ROBIN HOOD"



tics. That would be no bad thing, for it has always seemed a shame that this magnificent machinery, with its enormous potential for excitement and wonder, should confine itself to the middle and lower cultural ranges. It would be delightful to see it run risky and frisky—the way it did when everyone called its founder "Walt" instead of "Uncle Walt."

■ Richard Schickel

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SHOW BUSINESS

been produced since 1966: *The Aristocats*, already in preparation when Walt Disney died, and *Robin Hood*, to be released this fall. Disney pictures now tend to be the live-action variety; animation has become prohibitively expensive, and the Disney studio suffers from a shortage of good animators. The average age of the key animation staff is now 55, and energetic recruiting among young artists has not filled the gap. "They're trapped in a cozy formula," complains one disgruntled refugee from the mouse factory. "They're not doing any original work."

Other young artists are unwilling to conform to the imperious (although recently somewhat modified) Disney dress and hair codes, or to go through the Mickey Mouse employee indoctrination at the "universities" at Disneyland and Disney World. At these "universities," most of the company's 20,000 clean, neat and good-looking employees are schooled in Traditions I, II, III and IV in the Way of Walt. (In the late 1950s, one of those employees was future Presidential Press



CHAIRMAN TATUM (LEFT) & PRESIDENT WALKER
No new directions.

Secretary Ron Ziegler.) The first lesson in Tradition I begins: "What do we do? We create Happiness."

"All you have to do," said Tinker Bell, "is believe." Thus far, Walt Disney Productions' belief in its founder's formula—and in what Roy Disney called the "ten-year plan" he left behind—has been enough. The next logical step, says one executive, would be an outdoor recreation facility along the lines of the Mineral King project in California, now suspended because it brought the Disney vision of progress into a head-on collision with conservationists. And always, off in the future, is EPCOT (for Experimental Prototype Community of Tomorrow), the perfect city Disney hoped to build adjacent to Disney World, complete with a climatic umbrella to regulate the weather.

Author Ray Bradbury, convinced that only the man who invented Disneyland could organize the urban chaos of Los Angeles, once asked Walt Disney to run for mayor of that city. Disney only smiled. "Why should I want to be mayor," he inquired, "when I'm already king?" The king is not dead; he may live as long as the ten-year plans keep working.

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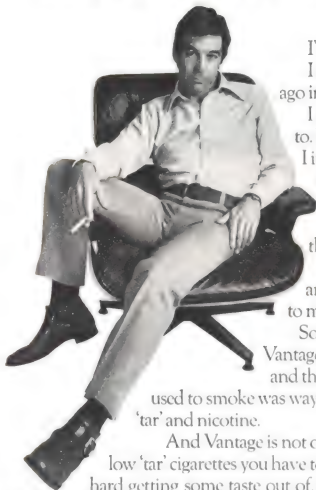
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used to smoke was way up there in 'tar' and nicotine.

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The Go-Getters

THE AMERICANS: THE DEMOCRATIC EXPERIENCE
by DANIEL J. BOORSTIN
717 pages. Random House, \$10.

Historian Daniel Boorstin is a man with an encyclopedic mind and a crusty disregard for the conventional chronicling of what he calls, with disdain, "important events." His idiosyncratic approach to history needs no better demonstration than this third volume of a trilogy that has included *The Americans: The Colonial Experience* and *The Americans: The National Experience*. It rounds out Boorstin's version of the American experience by taking the measure of the U.S. during the last hundred years, but it is the century as no other historian has portrayed it.

Here is President James Garfield, for instance, well before he was shot down, dining at the posh New York restaurant of the gilded age, Delmonico's. Rutherford Hayes puts in an appearance—as the man who brought the telephone to the White House. Teddy Roosevelt is seen, not as the man who dispatched the Great White Fleet to prowling the world's ports, but rather as an amateur art critic who liked what he saw at the controversial New York Armory Show of 1913.

Boorstin's bias, which he reveals in a marvelously personal, crotchety set of bibliographical notes, is toward "the universal and the commonplace." Since this is an American history, he emphasizes commerce, technology and increasingly conspicuous consumption. But his heroes are the uncommon men whom he calls "the Go-Getters"—the tycoons, the inventors, the social scientists, who shaped the real character of American life. These, argues Boorstin, are the genuine "revolutionaries," and the book is studded with their biographies: Willis H. Carrier, who homogenized the country with air conditioning; Chester F. Carlson, the man who doomed the secret by inventing the Xerox system; R.G. Dun, the credit rating pioneer who made Everyman's private life the subject of public record.

Boorstin's breezy, anecdotal style makes his book a rousing reading experience, the sort of history that tells Americans painlessly but tartly who they really are. Remember streetcars? They rumble through Boorstin's pages at length twice, once as the begetters of the central city and its department stores, again as the linchpins to the new suburbia. The department stores, too, emerge as a "democratic experience," the first places in the world where the poor as well as the rich could gawk at a vast array of bright new wares. Only occasionally does Boorstin ride a hobbyhorse too far. Obviously infatuated with the cowboy and all his ways, he de-

votes an entire section to an exhaustive—and nearly exhausting—treatise on the technology of cattle branding.

The section is worth getting through. Beyond it lies Boorstin's often critical commentary on what the Go-Getters really got—and how they got it. A lawyer himself, Boorstin seems bemused at the profession's remarkable good fortune in guiding business through the legal maze of the federal

lic bomb and the space race. His essay of the century's "democratic experience" does not include any mention of the fate of the American Indian. He also ignores the labor movement entirely.

The strangest ellipsis is his disregard of the Viet Nam War, which is mentioned only in reference to the Xeroxing of the Pentagon papers. The war, after all, was a product of America's military-industrial momentum and the



BOORSTIN & HISTORY OBJECTS: STREETCAR, COWBOY, AIR CONDITIONER, PHONOGRAPH, ARMORY SHOW, XEROX MACHINE

system; in 1968, he reports, lawyers took in \$5.2 billion in fees.

Throughout the book runs an undertone of disillusionment. Boorstin hails the photograph and phonograph, but notes how they destroyed the uniqueness of the moment, broadening experience but leveling it. Radio and television multiplied communication, but made it an increasingly private experience. Supermarkets offered the consumer an abundance of choice, and franchises the assurance of at least modest uniform quality, but the touch and smell of food became trapped in paperboard and plastic.

Yet for a historian who deplores the "thinner life of things," Boorstin seems spare in his appraisal of the life of the spirit during the past century. His one bow to it is a somewhat ingenuous section on the American missionary impulse and what he calls "Samaritan diplomacy," though he does allude to the cultural imperialism that has often accompanied missionaries. He limits his discussion of America's inexorable technology to vignettes about the atom-

missionary spirit—at least its anti-Communist version—as well as the Go-Getter mystique that the author so admires. Boorstin may dislike "important events," but that is one that no historian can ignore.

■ Mayo Mohs

Home Games

THE JEALOUS EAR
by ROBERT EARLY
207 pages. Houghton Mifflin, \$5.95.

Perhaps it has something to do with that old Southern blend of agrarian idealism and the 18th century romance with the noble savage. Or maybe it is just all that ambling through the tall grass. In any case, Southern writers have had a particular weakness for seeing beauty and naked truth through the eye of the innocent. Robert Early, 34, a North Carolinian and former Benedictine monk, uses the other senses as well. *The Jealous Ear*, his first novel, is about a boy's attempt to piece together his past and future from glimpses through door cracks, snatches of overheard conver-

BOOKS

sations, strange odors and intimate brushes with the flesh.

Unlike the hero of Truman Capote's *The Grass Harp*, Egan Fletcher Jr. does not live in a tree house. Home is what passes for a mansion in Kornelius-Above-the-Shoals, the Southern town where his grandfather owns the cotton mill. Egan lives there on the eve of World War II with his mother and sister, a 14-year-old in itchy jodhpurs. Grandfather DeWhit, a Dionysian Scattergood Baines, is not only the community's pillar but its lingam as well. Hints of his sexual reconnaissance on both sides of the color line are rampant.

Grandmother De specializes in winding her 15 clocks and never letting Egan's mother forget that she married beneath herself. The truth is that outside the hermetic DeWhit family, Egan Fletcher Sr. is a famous professional baseball player. He plays some unspecified position with a club known as the Washington Teutons, but he is also an overpowering utility father figure. Returning for a stay with his family, he reignites his wife's banked passions and her family's recriminations. Grandfather dies, Egan's sister runs off with the first boy to find the buttons on her jodhpurs, and Grandmother spouts puritan pieties about everyone's troubles with their "bottom parts."

Early has a smooth way with the familiar Southern surfaces. But his story of a boy's awakening lifts his novel above the ordinary Southern tale of local "unforgettable" characters. Both young Egan's body and mind seem to bud together. Defining, then trying to name new experiences in his own way, lead to his first steps as a poet. Art, it appears, must provide him with the security and faith that an absent father-hero never did. It is a promising theme, particularly when suggested by the work of an author who left a religious order to write fiction. ■ R.Z. Sheppard

Notable

THE OBSCURE BIRD OF NIGHT
by JOSÉ DONOSO
438 pages. Knopf, \$7.95.

This is the latest in an apparently unending procession of long, richly imagined novels from South America. Like García Márquez's bestselling *One Hundred Years of Solitude*, it is a densely populated, myth-ridden anti-epic. Like the elegant entertainments of Jorge Amado, it is filled with local allusions, jokes and satires—in this case Chilean—that few Yankee readers will know or even be aware of.

The central figure of the book, its fantasy-struck narrator, is a failed, elderly intellectual named Humberto. He is the caretaker of a huge, decayed and sparsely tenanted religious retreat house near Santiago. Those few others who live there—a mother superior, a few female orphans and a handful of ancient housemaids—know Humberto only as

"Mudito." The name means "Little Mute," and indeed no one knows that Humberto can speak.

As one of the characters remarks, "Humberto had no talent for simplicity. He felt the need to twist normal things around." In fact the old man is simmering away in wild daydreams, and he is not the only one. Most of the characters are obsessed by the legend of blessed Inés, a child saint of witchlike



JOSÉ DONOSO
The mute spoke volumes.

proclivities who is said to have rescued the retreat house from an earthquake long ago and stayed around to haunt the place ever since.

Donoso has a lethally accurate ear for the cadences of Chilean people: aging, pious servants, provincials transplanted in the capital, the crumbling aristocracy. The elusive Inés is a perfect portrait of a working-class Santiago teen-ager. Along with legends and local lore, there is a great deal of fashionable literary rhetoric that unfortunately tends to make the author's truly bizarre creations more commonplace. When the didactic in Donoso pushes the storyteller aside, the book comes perilously close to pomposity.

RABBIT BOSS
by THOMAS SANCHEZ
468 pages. Knopf, \$7.95.

This is a young man's novel—theme and scheme far too massive but stubbornly hefted anyway. The author follows the disintegration of a small Indian tribe, the Washo, who lived by hunting rabbits near Lake Tahoe. His central vision has brutal force: that the very first sight any Washo had of white men was in midwinter, high in the Donner Pass, at the moment when surviving members of a party of settlers began to eat their own dead.

The warrior who sees the cannibalism is shaken so profoundly that he loses all sense of the rightness of things, and

sinks into melancholy. He takes no further part in tribal life, understanding in some half-mystical way that the time of the Washo is finished.

The corruption and decay of the Washo require four generations, and in each generation Author Sanchez tells the unbelievably gloomy story of one doomed Indian. The mood of the novel, as might be expected, is that of an incantation for the dead.

Although knowledge and talent have been spent on this ambitious book, two serious objections must be made. One is that to give his earliest Washo non-English speech and thought patterns, Sanchez invents a portentous lingo that just does not work ("Gaya-buc, what say you? The Sun is heavy in the Sky, soon it will drop. We have walked the day... What say you?").

The other and more serious complaint is that even the most vivid scenes are varnished over with a mournful brown glaze, which has the unfortunate effect of denying the reader his own clear view and his own sense of loss.

SYBIL
by FLORA RHETA SCHREIBER
359 pages. Regnery, \$8.95.

The cast of characters in Sybil Dorset's brain makes the heroine of *Three Faces of Eve* seem only mildly neurotic. As early as the age of three, Sybil began subdividing her personality, "dissociating" into other, utterly distinct characters. All had their own names, distinct vocabularies, accents and mannerisms. Vicky was gracious, self-assured, an attractive blonde. Mary was plump, quiet, with long brown hair, etc. Two of Sybil's other selves were boys who found it painfully confusing to have their residence in a woman's body.

For years, Sybil remained oblivious of their existence; she knew only that she blacked out and suffered terrible amnesia lapses. Once, in her fifth-grade classroom, she came back to herself in the midst of an arithmetic drill and thought she should be in the third grade.

To the extent that multiple personalities are understood, it seems that Sybil's mind began creating alternative personages as a defense against her mother, who was a sadistic, child-battering schizophrenic. Brilliant (with an IQ of 170), yet mousy and dejected, Sybil finally embarked on psychoanalysis. Her doctor never quite knew which of her 16 personalities would turn up. After she underwent eleven years of analysis, treatments with sodium pentothal and hypnosis, the tribe of various selves merged into one coherent Sybil.

Author Schreiber, a former psychiatric editor of *Science Digest*, says that she met Sybil Dorset (a pseudonym) in 1962 through Sybil's psychoanalyst, Cornelia Wilbur. Her bestselling book is fascinating, but also troubling. As a kind of psychiatric New Journalism, it has a fictive, polarized vividness that undermines medical credibility.

MEDICINE

Revitalized Hearts

Jack March, 53, is a tennis pro who puts in up to eight grueling hours a day on the courts at Cleveland's Shaker Racquet Club. John P. Callahan, 51, a funeral director in Terre Haute, Ind., regularly plays 36 holes of golf in a day; he hunts and fishes and has built his own log cabin. John Williams, 55, works full time as a regional vice president of National Cash Register Company in St. Petersburg, Fla.

What makes these men's activities remarkable is that they have all had drastic surgery to improve the circulation in their hearts by bypassing severely diseased portions of their coronary arteries. Without such surgery, it is doubtful that they—or an estimated 60,000 other Americans similarly afflicted—would be alive today. Just five years after becoming known to surgeons, the coronary-bypass operation is the most frequently performed radical lifesaving procedure in U.S. hospitals.

Actually, say the surgeons who pioneered its development, the operation should be performed far more often than it is. Each year close to 700,000 Americans die of heart attacks or other effects of coronary arteriosclerosis—hardening of the arteries that power the heart's main pumping chamber. Approximately one-fourth of these deaths occur before age 65 and are thus considered premature. Most of these younger victims, as well as a portion of those who are over 65, could have useful, satisfying years added to their lives if their hearts were repaired. Otherwise, even if they survive, they are likely to become cardiac cripples.

Fewer Deaths. Bypass surgery began with an unplanned and extreme measure taken in November 1964 by Dr. H. Edward Garrett at Houston's Methodist Hospital. Operating on a 42-year-old truck driver named Heriberto Hernandez, Garrett had expected to ream out a short stretch of clogged coronary artery and stitch over it a split piece of vein removed from the patient's own leg—what surgeons call a patch graft. Two main arteries proved to be so diseased that this procedure was not feasible. Garrett, who is now at the University of Tennessee's Medical Unit in Memphis, boldly decided to use a longer piece of vein, also from Hernandez's leg. He ran it from healthy tissue in the aorta directly to an unclogged portion of a major coronary artery—thus bypassing the blockage completely.

This imaginative operation was not widely noted. But meanwhile, at the Cleveland Clinic in 1967, Argentine-born Dr. René G. Favaloro hit upon the same idea. His chief, Dr. Donald B. Effler, gave the go-ahead, and the coronary bypass soon gained fame and popularity—and an ever higher de-

gree of safety and dependability.

There are still differences of opinion and unanswered questions about bypass surgery. Some cardiologists who treat heart disease medically but not surgically point out that the vein grafts sometimes become diseased or fail for other reasons. Moreover, though surgeons maintain that deaths among patients still hospitalized should not exceed 3%, in fact they exceed 20% at some institutions. Effler is unimpressed by their caution, and retorts: "The only way a cardiologist can attract attention nowadays is by attacking surgeons." But Effler concedes that it is still too early to tell how many extra years of life the operation will confer. The best evidence of the operation's value comes from the Cleveland Clinic team's own records. Among 1,000 patients closely observed for one to three years after their operations, the mortality rate was 27.7%. This is only half as many deaths as occurred among patients with similar problems who did not have the operation; of that group, 56.2% died within the same period.

High Costs. Critics contend that the Cleveland team's figures look good because it accepts only patients with a high chance of survival. Effler counters that the limitations of surgeons' time and facilities make it irrational to operate on hopeless cases. On the other hand, Houston's Dr. Denton A. Cooley insists that he takes patients in desperate stages of heart disease and that his survival rates are as encouraging as those of any other center.

Costs for the operation are high. Two thousand dollars is the average fee for one or two primary surgeons, plus \$300 to \$500 for the anesthesiologist, at least \$300 for cine X rays of the heart, and perhaps as much for the use of a heart-lung machine. The grand total can run up to \$8,000. But few patients seem to mind either the costs or the discomfort. When Clarence Christie, 42, of Riverside, Ill., suffered a heart attack in 1971, his doctors gave him six months to live unless he underwent a bypass. "It was like a torture chamber," says Christie of the intensive-care period that followed the operation. But Christie, now back at work as an insurance executive, feels that the results justified the pain. "I eat what I want to, I drink what I want to," he says. "When it's fixed, it's fixed."

Fetal Position

Changing public attitudes and a recent Supreme Court decision have removed most of the legal bars to abortion. But many of the ethical questions about the procedure remain unsolved. For the past several years, a study group of the National Institutes of Health has been working on a set of guidelines cov-



TENNIS PRO JACK MARCH



HEART SURGEON DONALD EFFLER



JOHN WILLIAMS AFTER OPERATION

MEDICINE

ering the use of aborted fetuses for research purposes. Last week, in the wake of a furor created by public reaction to this proposal, the NIH bypassed its panel and recommended instead a code that would effectively prohibit all research on aborted fetuses in the U.S.

The original guideline proposals would have extended to fetuses *in utero* the NIH ban on any possibly harmful research involving human beings. But they would not have accorded such protection to fetuses that had been aborted. The proposed rules spelled out conditions under which experiments—including the temporary maintenance of life by means of an artificial placenta—could be conducted on them. Some research physicians feel that such experiments could give them valuable information on the causes of miscarriage as well as the effects on the fetus of drugs taken by pregnant women. Others believe that the opportunity to study live fetal tissue, which grows rapidly, might help them to understand better the uncontrolled multiplication of cancer cells.

Outcry. The public outcry over fetal research began last spring, when *Oh, Gyn. News*, a semimonthly newsletter for obstetricians and gynecologists, reported that the NIH was nearing a decision that would permit funding of such projects. The story generated a storm of controversy among physicians, scientists, lawyers and theologians, many of whom argued that aborted fetuses are beings so close to living humans that the idea of experimenting on them is morally repugnant. Nowhere did it arouse more anger than at the exclusive Stone Ridge Country Day School of the Sacred Heart in Bethesda, Md. A group of students there, including the 17-year-old daughter of former Democratic Vice Presidential Candidate Sargent Shriver, asked school authorities for permission to protest the proposed rules by picketing NIH. When they learned of the students' plans, NIH officials offered to meet with them instead, and the result of the parley was total capitulation. Apparently deciding that public attitudes are unalterably opposed to experimentation, the NIH declared emphatically that it "does not now support research on live aborted human fetuses and does not contemplate approving the support of such research."

The revised guidelines, which must still be approved by NIH Director Dr. Robert S. Stone and the Secretary of Health, Education and Welfare, ban all experiments involving women about to undergo abortions if they might harm the fetus, and prohibit any experiments that would prolong the life of an aborted fetus once its ultimate survival is judged to be impossible. Few researchers are expected to violate the ban, which applies to any American scientist receiving NIH support. Anyone who does can lose federal support for all other research he may be conducting.



JESUS (TED NEELEY) BEING ESCORTED TO THE CROSS IN "SUPERSTAR"

CINEMA

Epistle from The Philistines

Hey Jesus,

What's happening, baby?

Just a quick line to tell you I caught *Jesus Christ, Superstar* at a special screening last night. The whole agency was there, and I want you to know the movie turned our heads around completely. It got us into areas of spirituality that we never even knew existed. It has reverence, taste, good vibes, and it really rocks out.

I was on the horn right away to Norm (Jewison) to tell him what a solid job he did, giving the picture life and relevance. You've probably heard he kind of copped from *Henry V*, using that stunt of an acting company performing the show we're all watching, making it kind of a show inside of a show, if you can dig it. It gave everything an extra dimension. But what really got to me was the way Norm brought all that contemporary political stuff in. I mean, we all know the story's happening in Israel. So it's really a mind blower to see those Phantom jets roaring up in the sky, and Judas coming up over a sand dune between a couple of tanks. That's heavyweight.

The movie's really got the look and sound of today. But Norm understands what's eternal about your story too, so there's a little something for everyone to groove on. I mean, it's not the kind of rock that'll turn the kiddies off, but it won't drive Mom and Dad out of the room either. All of us really got off on the choreography, all that whirling and all those wild costumes. But the most important moments for all of us were the quiet ones. When those hassles with the Pharisees and Pontius Pilate and Herod started in, there was a hush in the screening room like a temple. And personally, I want you to know that when things really started coming down on you, with the whipping and cruci-

fixion and all that, my old lady wept—wept. She wanted me to be sure and tell you.

Have you thought about getting in on the p.r. thing yourself? Like a personal-appearance tour—major cities only? I know it's not the sort of thing you're into, and you hardly owe it to Universal. After all, they got the story rights for nothing. But you're hot now, and you're going to get hotter. Like the studio told us: "Clint Eastwood does it—why can't he?" At least you ought to get yourself solid agency representation. You need somebody in your corner who knows the business. Just keep us in mind if you decide to make a move.

I'll be in touch again soon. Meanwhile, I'm sending along three copies of the sound-track album and a bunch of posters. *Superstar* is really flip city. We're all totally freaked.

Hare krishna.

Jerry

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JUDAS (CARL ANDERSON) PURSUED BY TANK



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